

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *Haugh*

BOARD AGENDA # 6:35 p.m.

Urgent Routine

AGENDA DATE March 15, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Public Hearing to Consider the Addition of Alley Lighting to the Airport Neighborhood Lighting District and to Conduct an Assessment Ballot Procedure Regarding the Matter in Compliance with California Government Code Article XIII D - Proposition 218

STAFF RECOMMENDATIONS:

- 1) Find that the requirements for notice of the Public Hearing were given pursuant to California Government Code Section 53753(B), and the Highway Lighting District Act Code section 19051 & 2.
- 2) Approve the Engineer's Report and make it part of the record of this proceeding.
- 3) Conduct the Public Hearing, to receive comments regarding:
 - A. The proposed addition of alley lighting.
 - B. The levy of the annual assessment to pay for the lighting services.

(Continued on Page 2)

FISCAL IMPACT:

The District's assessment for Fiscal Year 2010-2011 is \$24.10 per parcel; if approved, the new assessment for Fiscal Year 2011-2012 will be \$45.89 per parcel.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2011-168

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No. DL-17-23

Public Hearing to Consider the Addition of Alley Lighting to the Airport Neighborhood Lighting District and to Conduct an Assessment Ballot Procedure Regarding the Matter in Compliance with California Government Code Article XIII D - Proposition 218

STAFF RECOMMENDATIONS (Continued):

- 4) Find that the California Government Code Article XIII, "Proposition 218" requirements for Public Hearing and Assessment Ballot Procedure have been completed upon closure of this public hearing regarding this matter.
- 5) Authorize the Clerk of the Board to oversee the opening of the sealed ballots, and to count and submit the results to the Board of Supervisors at the next scheduled Board meeting on March 22, 2011.

FISCAL IMPACT (Continued):

One time costs associated with this project include staff project time for the ballot procedure, Engineer's Report, public meetings, and coordination with Modesto Irrigation District. A portion of these costs were approved for coverage through funding from the Community Development Fund (Initiate Proceeding on January 11, 2011 - Staff Recommendation #3 approved the use of up to \$5,600) and is consistent with the goal of providing funding for "one-time projects or programs benefiting the unincorporated area that demonstrates strong local support and commitment and a general public benefit." One time costs over and above the \$5,600 allotment from Community Development Funds and the ongoing operation and maintenance costs of the additional lighting will be borne by the Airport Neighborhood Lighting District.

DISCUSSION:

The Airport Neighborhood Lighting District, (hereinafter referred to as the "District"), was established by the Stanislaus County Board of Supervisors on December 23, 1969. The formation was initiated through a petition submitted by the parcel owners within the boundaries of the District. The District was formed to finance the operation and maintenance of streetlights within the District.

In November 2010, a petition requesting the installation of streetlights in the alleyways of the District was submitted to Stanislaus County with the signatures of 276 residents and property owners of the District. Property owners and residents signing the petition believe that alley lighting will improve the community as a whole by aiding law enforcement efforts while deterring unwanted activities. This proposal and the initial community outreach was brought forward through the efforts of the Airport Neighborhood Collaborative -- a group of public and private stakeholders, including residents, that meet at Orville Wright Elementary monthly to work on community development issues in the area.

Public Hearing to Consider the Addition of Alley Lighting to the Airport Neighborhood Lighting District and to Conduct an Assessment Ballot Procedure Regarding the Matter in Compliance with California Government Code Article XIII D - Proposition 218

To achieve adequate alley lighting levels while minimizing costs, it is estimated that, upon project approval, a maximum of 40 lights would be installed on existing Modesto Irrigation District (MID) utility poles. The exact number of lights installed may actually be less than 40 depending upon field placement issues such as clearances on existing utility poles, tree cover, and nearby lighting. This project will use operating and maintenance costs for 40 additional lights as the basis for increased expenses for Fiscal Year 2011-2012 assessments.

To fund the increased level of service and associated operating and maintenance costs for 40 lights, there must also be a corresponding increase in assessment for the District's property owners. Although the current assessment is formula based, it was derived based on a level of service that focused primarily on lighting local streets. Pursuant to Proposition 218, and at the advice of County Counsel, the increase in assessment and a new formula, based on lighting both local streets and alleyways, has to be approved by the District's property owners through an assessment ballot procedure and public hearing. If the ballot procedure to increase the assessments fails, the matter will be closed. If approved, the revised assessment will take effect in Fiscal Year 2011-2012. It is anticipated that the alley lights will be installed prior to the end of June 2011 and energized in July 2011. The installation of the alley lights would be conducted by the Modesto Irrigation District.

Proposition 218, approved by California voters in November 1996, requires an assessment ballot procedure and public hearing before a new methodology or new increased assessment may be levied. Because a new increased assessment is proposed, a ballot procedure is required to obtain property owner's approval. It also requires a notice of public hearing be delivered to all property owners of record as of the date of the last assessment roll. The notice must inform them of the date, time, and place of the public hearing and advise them of the ballot procedure.

To fulfill the requirements of Proposition 218, an Assessment Ballot Pack was mailed to the District's property owners of record as of the date of the last assessment roll. The Assessment Ballot Pack was mailed on January 28, 2011, more than 45 days in advance of the public hearing. It included a "Notice of Public Hearing", an instruction sheet on how to submit their vote, an Assessment Ballot, and a return envelope addressed to the Clerk of the Board of Supervisors. The pack's materials included information advising them of the ballot procedure, the specific benefit of the District, the total amount thereof chargeable to the entire District, the amount chargeable to the owners' particular parcel, the duration of the payments, the reason and basis upon which the proposed assessment was calculated, and the date, time, and location of the public hearing. It also included information on how to submit their vote and a disclosure statement regarding the effect of a majority protest. An example of the Assessment Ballot Pack, including ballot, can be found in Attachment "A". Also, a "Notice of the Public Hearing" was also published in a local, general circulation, newspaper on March 1, 2011 and March 8, 2011, Attachment "B". This meets the requirements of the Highway Lighting District Act, Code sections 19051 & 19052. A proposed assessment list by parcel number is included in Attachment "C".

A tabulation of the ballots cannot be done until the Board of Supervisors concludes the required Public Hearing. The Board of Supervisors must hold the Public Hearing to receive any comments regarding the proposal. Any interested person may present written or oral testimony at the public

Public Hearing to Consider the Addition of Alley Lighting to the Airport Neighborhood Lighting District and to Conduct an Assessment Ballot Procedure Regarding the Matter in Compliance with California Government Code Article XIII D - Proposition 218

hearing. At the conclusion of the public hearing, balloting will be closed and the Clerk of the Board of Supervisors will tabulate the results for presentation at the next scheduled meeting on March 22, 2011

POLICY ISSUES:

State of California Streets and Highways Code Section 19130 authorizes the Board of Supervisors to be the governing body for Lighting Districts within their county.

This action is consistent with the Board's policy of providing A Safe Community, A Healthy Community, and A Well Planned Infrastructure System.

STAFFING IMPACT:

Staffing impact will be limited to the time required to prepare Board reports and their supporting materials, conduct the ballot procedure, and coordinate the project with the Modesto Irrigation District.

CONTACT PERSON:

Mike Wilson, Senior Engineering Technician, Stanislaus County Public Works. Telephone (209) 525-4190.

MW:lc

H:\SERVICES\Districts\LD\LD Airport Neighborhood\Ballot Initiative 2011\Action Agendas\Hold Public Hearing Airport Neighborhood LD BOS
3-15-11

AIRPORT NEIGHBORHOOD LIGHTING DISTRICT
PROPOSED ANNUAL ASSESSMENT FISCAL YEAR 2011-2012
 The Assessor's parcels listed below are subject to the annual assessment

Count	APN	Assessment	Count	APN	Assessment
1	035-003-003	\$45.89	45	035-004-026	\$45.89
2	035-003-007	\$45.89	46	035-004-027	\$45.89
3	035-003-008	\$45.89	47	035-004-028	\$45.89
4	035-003-009	\$45.89	48	035-004-029	\$45.89
5	035-003-010	\$45.89	49	035-004-030	\$45.89
6	035-003-011	\$45.89	50	035-004-031	\$45.89
7	035-003-017	\$45.89	51	035-004-033	\$45.89
8	035-003-018	\$45.89	52	035-004-034	\$45.89
9	035-003-019	\$45.89	53	035-004-035	\$45.89
10	035-003-020	\$45.89	54	035-004-036	\$45.89
11	035-003-021	\$45.89	55	035-004-037	\$45.89
12	035-003-022	\$45.89	56	035-004-038	\$45.89
13	035-003-023	\$45.89	57	035-004-039	\$45.89
14	035-003-024	\$45.89	58	035-004-040	\$45.89
15	035-003-025	\$45.89	59	035-004-041	\$45.89
16	035-003-026	\$45.89	60	035-004-042	\$45.89
17	035-003-027	\$45.89	61	035-004-043	\$45.89
18	035-003-028	\$45.89	62	035-004-044	\$45.89
19	035-003-047	\$45.89	63	035-004-045	\$45.89
20	035-004-001	\$45.89	64	035-004-046	\$45.89
21	035-004-002	\$45.89	65	035-004-047	\$45.89
22	035-004-003	\$45.89	66	035-004-048	\$45.89
23	035-004-004	\$45.89	67	035-004-049	\$45.89
24	035-004-005	\$45.89	68	035-004-050	\$45.89
25	035-004-006	\$45.89	69	035-004-052	\$45.89
26	035-004-007	\$45.89	70	035-004-053	\$45.89
27	035-004-008	\$45.89	71	035-004-054	\$45.89
28	035-004-009	\$45.89	72	035-004-055	\$45.89
29	035-004-010	\$45.89	73	035-004-056	\$45.89
30	035-004-011	\$45.89	74	035-004-057	\$45.89
31	035-004-012	\$45.89	75	035-004-058	\$45.89
32	035-004-013	\$45.89	76	035-004-059	\$45.89
33	035-004-014	\$45.89	77	035-004-061	\$45.89
34	035-004-015	\$45.89	78	035-004-062	\$45.89
35	035-004-016	\$45.89	79	035-004-063	\$45.89
36	035-004-017	\$45.89	80	035-004-064	\$45.89
37	035-004-018	\$45.89	81	035-004-065	\$45.89
38	035-004-019	\$45.89	82	035-004-066	\$45.89
39	035-004-020	\$45.89	83	035-004-067	\$45.89
40	035-004-021	\$45.89	84	035-004-068	\$45.89
41	035-004-022	\$45.89	85	035-004-069	\$45.89
42	035-004-023	\$45.89	86	035-005-002	\$45.89
43	035-004-024	\$45.89	87	035-005-003	\$45.89
44	035-004-025	\$45.89	88	035-005-004	\$45.89

AIRPORT NEIGHBORHOOD LIGHTING DISTRICT
PROPOSED ANNUAL ASSESSMENT FISCAL YEAR 2011-2012
The Assessor's parcels listed below are subject to the annual assessment

Count	APN	Assessment	Count	APN	Assessment
89	035-005-005	\$45.89	133	035-012-014	\$45.89
90	035-005-006	\$45.89	134	035-012-015	\$45.89
91	035-005-011	\$45.89	135	035-012-016	\$45.89
92	035-005-012	\$45.89	136	035-012-017	\$45.89
93	035-010-001	\$45.89	137	035-012-018	\$45.89
94	035-010-003	\$45.89	138	035-012-019	\$45.89
95	035-010-004	\$45.89	139	035-012-020	\$45.89
96	035-010-005	\$45.89	140	035-012-021	\$45.89
97	035-010-006	\$45.89	141	035-012-022	\$45.89
98	035-010-007	\$45.89	142	035-012-023	\$45.89
99	035-010-008	\$45.89	143	035-012-024	\$45.89
100	035-010-009	\$45.89	144	035-012-025	\$45.89
101	035-010-010	\$45.89	145	035-012-026	\$45.89
102	035-010-011	\$45.89	146	035-012-027	\$45.89
103	035-010-012	\$45.89	147	035-012-028	\$45.89
104	035-010-013	\$45.89	148	035-012-029	\$45.89
105	035-010-014	\$45.89	149	035-012-030	\$45.89
106	035-010-015	\$45.89	150	035-012-031	\$45.89
107	035-010-016	\$45.89	151	035-012-032	\$45.89
108	035-010-017	\$45.89	152	035-012-033	\$45.89
109	035-010-019	\$45.89	153	035-012-034	\$45.89
110	035-010-020	\$45.89	154	035-013-001	\$45.89
111	035-010-021	\$45.89	155	035-013-002	\$45.89
112	035-010-022	\$45.89	156	035-013-009	\$45.89
113	035-010-023	\$45.89	157	035-013-010	\$45.89
114	035-011-001	\$45.89	158	035-013-011	\$45.89
115	035-011-002	\$45.89	159	035-013-012	\$45.89
116	035-011-003	\$45.89	160	035-013-014	\$45.89
117	035-011-004	\$45.89	161	035-013-017	\$45.89
118	035-011-005	\$45.89	162	035-013-018	\$45.89
119	035-011-006	\$45.89	163	035-013-023	\$45.89
120	035-012-001	\$45.89	164	035-014-001	\$45.89
121	035-012-002	\$45.89	165	035-014-002	\$45.89
122	035-012-003	\$45.89	166	035-014-005	\$45.89
123	035-012-004	\$45.89	167	035-014-006	\$45.89
124	035-012-005	\$45.89	168	035-014-017	\$45.89
125	035-012-006	\$45.89	169	035-014-018	\$45.89
126	035-012-007	\$45.89	170	035-014-019	\$45.89
127	035-012-008	\$45.89	171	035-014-020	\$45.89
128	035-012-009	\$45.89	172	035-014-021	\$45.89
129	035-012-010	\$45.89	173	035-014-022	\$45.89
130	035-012-011	\$45.89	174	035-014-023	\$45.89
131	035-012-012	\$45.89	175	035-014-024	\$45.89
132	035-012-013	\$45.89	176	035-014-025	\$45.89

**AIRPORT NEIGHBORHOOD LIGHTING DISTRICT
 PROPOSED ANNUAL ASSESSMENT FISCAL YEAR 2011-2012**
 The Assessor's parcels listed below are subject to the annual assessment

Count	APN	Assessment	Count	APN	Assessment
177	035-014-026	\$45.89	221	035-028-005	\$45.89
178	035-014-027	\$45.89	222	035-028-009	\$45.89
179	035-014-028	\$45.89	223	035-028-010	\$45.89
180	035-014-029	\$45.89	224	035-028-011	\$45.89
181	035-015-001	\$45.89	225	035-028-012	\$45.89
182	035-015-002	\$45.89	226	035-032-001	\$45.89
183	035-015-003	\$45.89	227	035-032-002	\$45.89
184	035-015-004	\$45.89	228	035-032-003	\$45.89
185	035-015-005	\$45.89	229	035-032-004	\$45.89
186	035-015-006	\$45.89	230	035-032-005	\$45.89
187	035-015-007	\$45.89	231	035-032-008	\$45.89
188	035-015-008	\$45.89	232	035-032-009	\$45.89
189	035-015-015	\$45.89	233	035-032-010	\$45.89
190	035-015-016	\$45.89	234	035-032-013	\$45.89
191	035-015-017	\$45.89	235	035-032-014	\$45.89
192	035-015-018	\$45.89	236	035-032-015	\$45.89
193	035-015-019	\$45.89	237	035-032-016	\$45.89
194	035-015-020	\$45.89	238	035-032-017	\$45.89
195	035-015-021	\$45.89	239	035-032-018	\$45.89
196	035-015-022	\$45.89	240	035-032-019	\$45.89
197	035-015-023	\$45.89	241	035-032-020	\$45.89
198	035-015-024	\$45.89	242	035-032-021	\$45.89
199	035-024-002	\$45.89	243	035-032-022	\$45.89
200	035-024-003	\$45.89	244	035-032-023	\$45.89
201	035-024-004	\$45.89	245	035-032-024	\$45.89
202	035-024-005	\$45.89	246	035-032-025	\$45.89
203	035-024-006	\$45.89	247	035-032-026	\$45.89
204	035-024-007	\$45.89	248	035-032-027	\$45.89
205	035-024-018	\$45.89	249	035-032-028	\$45.89
206	035-027-002	\$45.89	250	035-032-029	\$45.89
207	035-027-003	\$45.89	251	035-032-031	\$45.89
208	035-027-004	\$45.89	252	035-032-032	\$45.89
209	035-027-005	\$45.89	253	035-032-033	\$45.89
210	035-027-006	\$45.89	254	035-033-002	\$45.89
211	035-027-011	\$45.89	255	035-033-003	\$45.89
212	035-027-012	\$45.89	256	035-033-004	\$45.89
213	035-027-016	\$45.89	257	035-033-005	\$45.89
214	035-027-018	\$45.89	258	035-033-007	\$45.89
215	035-027-019	\$45.89	259	035-033-008	\$45.89
216	035-027-020	\$45.89	260	035-033-009	\$45.89
217	035-027-021	\$45.89	261	035-033-010	\$45.89
218	035-027-022	\$45.89	262	035-033-011	\$45.89
219	035-028-002	\$45.89	263	035-033-016	\$45.89
220	035-028-004	\$45.89	264	035-033-017	\$45.89

AIRPORT NEIGHBORHOOD LIGHTING DISTRICT
PROPOSED ANNUAL ASSESSMENT FISCAL YEAR 2011-2012
The Assessor's parcels listed below are subject to the annual assessment

Count	APN	Assessment	Count	APN	Assessment
265	035-033-018	\$45.89	309	035-034-040	\$45.89
266	035-033-019	\$45.89	310	035-034-041	\$45.89
267	035-033-020	\$45.89	311	035-034-042	\$45.89
268	035-033-021	\$45.89	312	035-034-043	\$45.89
269	035-033-022	\$45.89	313	035-034-044	\$45.89
270	035-033-023	\$45.89	314	035-034-045	\$45.89
271	035-033-024	\$45.89	315	035-034-046	\$45.89
272	035-033-025	\$45.89	316	035-034-047	\$45.89
273	035-033-028	\$45.89	317	035-034-048	\$45.89
274	035-033-029	\$45.89	318	035-034-050	\$45.89
275	035-034-001	\$45.89	319	035-035-001	\$45.89
276	035-034-002	\$45.89	320	035-035-002	\$45.89
277	035-034-006	\$45.89	321	035-035-003	\$45.89
278	035-034-007	\$45.89	322	035-035-004	\$45.89
279	035-034-008	\$45.89	323	035-035-005	\$45.89
280	035-034-009	\$45.89	324	035-035-006	\$45.89
281	035-034-010	\$45.89	325	035-035-007	\$45.89
282	035-034-011	\$45.89	326	035-035-008	\$45.89
283	035-034-012	\$45.89	327	035-035-009	\$45.89
284	035-034-015	\$45.89	328	035-035-010	\$45.89
285	035-034-016	\$45.89	329	035-035-011	\$45.89
286	035-034-017	\$45.89	330	035-035-012	\$45.89
287	035-034-018	\$45.89	331	035-035-013	\$45.89
288	035-034-019	\$45.89	332	035-035-015	\$45.89
289	035-034-020	\$45.89	333	035-035-016	\$45.89
290	035-034-021	\$45.89	334	035-035-017	\$45.89
291	035-034-022	\$45.89	335	035-035-018	\$45.89
292	035-034-023	\$45.89	336	035-035-019	\$45.89
293	035-034-024	\$45.89	337	035-035-020	\$45.89
294	035-034-025	\$45.89	338	035-035-021	\$45.89
295	035-034-026	\$45.89	339	035-035-022	\$45.89
296	035-034-027	\$45.89	340	035-035-023	\$45.89
297	035-034-028	\$45.89	341	035-035-024	\$45.89
298	035-034-029	\$45.89	342	035-035-025	\$45.89
299	035-034-030	\$45.89	343	035-035-026	\$45.89
300	035-034-031	\$45.89	344	035-037-001	\$45.89
301	035-034-032	\$45.89	345	035-037-002	\$45.89
302	035-034-033	\$45.89	346	035-037-003	\$45.89
303	035-034-034	\$45.89	347	035-037-004	\$45.89
304	035-034-035	\$45.89	348	035-037-005	\$45.89
305	035-034-036	\$45.89	349	035-037-006	\$45.89
306	035-034-037	\$45.89	350	035-037-007	\$45.89
307	035-034-038	\$45.89	351	035-037-008	\$45.89
308	035-034-039	\$45.89	352	035-037-010	\$45.89

AIRPORT NEIGHBORHOOD LIGHTING DISTRICT
PROPOSED ANNUAL ASSESSMENT FISCAL YEAR 2011-2012
The Assessor's parcels listed below are subject to the annual assessment

Count	APN	Assessment	Count	APN	Assessment
353	035-037-011	\$45.89	397	035-038-025	\$45.89
354	035-037-012	\$45.89	398	035-038-026	\$45.89
355	035-037-013	\$45.89	399	035-038-027	\$45.89
356	035-037-014	\$45.89	400	035-038-028	\$45.89
357	035-037-015	\$45.89	401	035-038-029	\$45.89
358	035-037-016	\$45.89	402	035-039-001	\$45.89
359	035-037-017	\$45.89	403	035-039-002	\$45.89
360	035-037-018	\$45.89	404	035-039-003	\$45.89
361	035-037-019	\$45.89	405	035-039-004	\$45.89
362	035-037-020	\$45.89	406	035-039-005	\$45.89
363	035-037-022	\$45.89	407	035-039-006	\$45.89
364	035-037-023	\$45.89	408	035-039-007	\$45.89
365	035-037-030	\$45.89	409	035-039-008	\$45.89
366	035-037-031	\$45.89	410	035-039-009	\$45.89
367	035-037-032	\$45.89	411	035-039-010	\$45.89
368	035-037-034	\$45.89	412	035-039-011	\$45.89
369	035-037-035	\$45.89	413	035-039-012	\$45.89
370	035-037-036	\$45.89	414	035-039-013	\$45.89
371	035-037-037	\$45.89	415	035-039-014	\$45.89
372	035-037-038	\$45.89	416	035-039-015	\$45.89
373	035-038-001	\$45.89	417	035-039-016	\$45.89
374	035-038-002	\$45.89	418	035-039-017	\$45.89
375	035-038-003	\$45.89	419	035-039-018	\$45.89
376	035-038-004	\$45.89	420	035-039-019	\$45.89
377	035-038-005	\$45.89	421	035-039-020	\$45.89
378	035-038-006	\$45.89	422	035-039-021	\$45.89
379	035-038-007	\$45.89	423	035-039-022	\$45.89
380	035-038-008	\$45.89	424	035-039-023	\$45.89
381	035-038-009	\$45.89	425	035-039-024	\$45.89
382	035-038-010	\$45.89	426	035-039-025	\$45.89
383	035-038-011	\$45.89	427	035-039-026	\$45.89
384	035-038-012	\$45.89	428	035-039-027	\$45.89
385	035-038-013	\$45.89	429	035-039-028	\$45.89
386	035-038-014	\$45.89	430	035-039-030	\$45.89
387	035-038-015	\$45.89	431	035-039-031	\$45.89
388	035-038-016	\$45.89	432	035-039-032	\$45.89
389	035-038-017	\$45.89	433	035-039-033	\$45.89
390	035-038-018	\$45.89	434	035-039-034	\$45.89
391	035-038-019	\$45.89	435	035-039-035	\$45.89
392	035-038-020	\$45.89	436	035-039-036	\$45.89
393	035-038-021	\$45.89	437	035-039-037	\$45.89
394	035-038-022	\$45.89	438	035-039-038	\$45.89
395	035-038-023	\$45.89	439	035-039-039	\$45.89
396	035-038-024	\$45.89	440	035-039-040	\$45.89

AIRPORT NEIGHBORHOOD LIGHTING DISTRICT
PROPOSED ANNUAL ASSESSMENT FISCAL YEAR 2011-2012
The Assessor's parcels listed below are subject to the annual assessment

Count	APN	Assessment	Count	APN	Assessment
441	035-039-041	\$45.89	485	035-040-036	\$45.89
442	035-039-042	\$45.89	486	035-040-037	\$45.89
443	035-039-043	\$45.89	487	035-040-038	\$45.89
444	035-039-044	\$45.89	488	035-040-039	\$45.89
445	035-039-045	\$45.89	489	035-040-040	\$45.89
446	035-039-046	\$45.89	490	035-040-041	\$45.89
447	035-039-047	\$45.89	491	035-040-042	\$45.89
448	035-039-048	\$45.89	492	035-040-043	\$45.89
449	035-039-049	\$45.89	493	035-040-044	\$45.89
450	035-039-051	\$45.89	494	035-040-045	\$45.89
451	035-039-052	\$45.89	495	035-040-046	\$45.89
452	035-039-053	\$45.89	496	035-040-047	\$45.89
453	035-040-001	\$45.89	497	035-040-048	\$45.89
454	035-040-004	\$45.89	498	035-040-049	\$45.89
455	035-040-005	\$45.89	499	035-040-050	\$45.89
456	035-040-006	\$45.89	500	035-040-051	\$45.89
457	035-040-007	\$45.89	501	035-040-052	\$45.89
458	035-040-008	\$45.89	502	035-040-053	\$45.89
459	035-040-009	\$45.89	503	035-040-054	\$45.89
460	035-040-010	\$45.89	504	035-040-055	\$45.89
461	035-040-011	\$45.89	505	035-040-058	\$45.89
462	035-040-013	\$45.89	506	035-041-033	\$45.89
463	035-040-014	\$45.89	507	035-043-040	\$45.89
464	035-040-015	\$45.89	508	035-043-046	\$45.89
465	035-040-016	\$45.89	509	035-054-001	\$45.89
466	035-040-017	\$45.89	510	035-054-002	\$45.89
467	035-040-018	\$45.89	511	035-054-003	\$45.89
468	035-040-019	\$45.89	512	035-054-004	\$45.89
469	035-040-020	\$45.89	513	035-054-005	\$45.89
470	035-040-021	\$45.89	514	035-054-006	\$45.89
471	035-040-022	\$45.89			
472	035-040-023	\$45.89			
473	035-040-024	\$45.89			
474	035-040-025	\$45.89			
475	035-040-026	\$45.89			
476	035-040-027	\$45.89			
477	035-040-028	\$45.89			
478	035-040-029	\$45.89			
479	035-040-030	\$45.89			
480	035-040-031	\$45.89			
481	035-040-032	\$45.89			
482	035-040-033	\$45.89			
483	035-040-034	\$45.89			
484	035-040-035	\$45.89			

110304



BALLOT ENCLOSED

DEPARTMENT OF PUBLIC WORKS
1716 Morgan Road
Modesto, CA 95358

RETURN SERVICE REQUESTED

OUTGOING ENVELOPE
ADDRESSEE LABEL GOES
HERE

Official Ballot Enclosed
Tarjeta de Votación
Oficial Incluida

110304



DEPARTMENT OF PUBLIC WORKS
Stanislaus County
1010 10th Street, Suite 3500
Modesto, CA 95354

RETURN SERVICE REQUESTED

Clerk of the Board of Supervisors
1010 10th Street, Suit 6700
Modesto, California 95354

Airport Lighting District
Ballot - Do Not Open

ASSESSMENT BALLOT

FOR THE AIRPORT NEIGHBORHOOD LIGHTING DISTRICT
FISCAL YEAR 2011/2012

TARJETA DE VOTACIÓN DE ASESORÍA
PARA EL DISTRITO DE ALUMBRADO DEL VECINDARIO DEL AEROPUERTO
AÑO FISCAL 2011/2012

Attention Landowner/Atención Propietario:

Parcel: APN035-043-040
Address: 743 Santa Cruz Ave Modesto Ca 00095

Owner:
Modesto Irrig Dist
P O Box 4060
Modesto, CA, 95352

2011/2012 Assessment Per Parcel

\$45.89

Contribución 2011/2012 Por Terreno

<u>Number of Parcels</u>	TIMES	<u>Weighting Factor</u>	EQUALS	<u>Weighted Vote</u>
1		1.0		1.0
<u>Cantidad de Parcela(s)</u>	POR	<u>Factor del Peso del Vote</u>	ES IGUAL A	<u>Peso Valorado del Vote</u>

This Ballot requires one box to be marked and a signature to be valid. Mark one box only:
Para que este voto sea valido, marque una casilla solamente y firme abajo:

- I/we **SUPPORT** the proposed addition of alley lighting and the levy of an annual assessment to pay for the street lighting and alley lighting services.

APOYO/APOYAMOS la propuesta de agregar luces en los callejones y de recaudar la contribución anual y para pagar por los servicios de alumbrado público en las calles y callejones.

- I/we **PROTEST** the proposed addition of alley lighting and the levy of an annual assessment to pay for the street lighting and alley lighting services.

Me **OPONGO/Nos OPONEMOS** a la propuesta de agregar luces en los callejones y de recaudar la contribución anual para pagar por los servicios de alumbrado público en las calles y callejones.

The undersigned certifies under penalty of perjury under the laws of the State of California that he/she submits this assessment ballot as owner or as the duly authorized representative of the owner or owners of the above-referenced parcel.

El que a continuación firma, da fe, bajo la pena de perjurio conforme a las leyes del Estado de California, de que deposita esta tarjeta como propietario, o como representante debidamente autorizado por el propietario (o de los propietarios) del terreno al que se hace referencia más arriba.

Dated/Fechado: _____

(Signature/Firma) (Type or print name and representative capacity, if any. Escriba a máquina o escriba a mano su nombre y la capacidad representativa, si la hay.)



STANISLAUS COUNTY



ASSESSMENT BALLOT INSTRUCTIONS

Use the enclosed Assessment Ballot to express support for or opposition to the proposed addition of alley lighting in the Airport Neighborhood Lighting District and the levy of an annual assessment to pay for district services. **You will receive a separate ballot for each parcel you own within the District.**

How To Vote Your Assessment Ballot

1. Use a pen to mark an "X" in one of the boxes to indicate either your support or protest, and sign and date the ballot certification.
2. Place the ballot in the enclosed envelope addressed to the Clerk of the Board of Supervisors and seal the envelope.
3. Deliver the ballot either by mail or in person by:
 - **Mail Delivery:** If by mail, mail with the required postage no later than March 10, 2011. Mailing later than this deadline creates a risk that the ballot may not be received in time to be counted.
 - **Personal Delivery:** If in person, deliver to the Clerk of the Board of Supervisors at any time prior to 5:00 p.m. on Tuesday, March 15, 2011, at 1010 10th Street, Sixth Floor, Modesto, California, or at the hearing itself at 6:35 p.m. on March 15, 2011, located in the Joint Chambers in the basement of the County/City Administration Building, 1010 10th Street, Modesto, California.

Regardless of which method of delivery is used, in order to be counted, the Assessment Ballot must be received prior to the close of the public hearing on Tuesday, March 15, 2011. After an Assessment Ballot is submitted, it may be changed or withdrawn prior to the conclusion of the public testimony at the hearing on the proposed increase in assessment by presenting identification with a picture to the Clerk of the Board of Supervisors or a county staff member designated at the start of the public hearing. If you wrongly stamp, tear or deface the Assessment Ballot, write spoiled across the face of the ballot and return it to the Clerk of the Board of Supervisors and another Assessment Ballot will be issued to you.

MULTIPLE OWNERS OF ONE PARCEL

If there is more than one record owner of the identified parcel, the owners may either submit (a) one Assessment Ballot for all the owners of that parcel or (b) one Assessment Ballot from each of the record owners, in which case, each record owner's ballot will be weighted in proportion to that owner's percentage of ownership. If each record owner wants to submit an individual ballot, return the enclosed Assessment Ballot along with a list of names and addresses of all the record owners and each owner's percentage of ownership in the parcel. Separate Assessment Ballots will be issued to each record owner, who will be individually responsible for submitting his or her ballot.

If title to property is held wholly or partly by a single legal entity (such as a corporation, partnership or trust), that entity may submit only one Assessment Ballot; the separate owners of that entity may not submit separate ballots.

(Español en el reverso)



STANISLAUS COUNTY



INSTRUCCIONES PARA USAR LA TARJETA DE VOTACIÓN

Use la Tarjeta de Votación para votar a favor o en contra de la proposición de agregar alumbrado en los callejones y para recaudar las contribuciones anuales para pagar por los servicios de alumbrado público en el Distrito de Alumbrado del Vecindario del Aeropuerto (Airport Neighborhood). **Recibirá una tarjeta de votación separada por cada parcela individual dentro del Distrito.**

COMO VOTAR CON SU TARJETA DE VOTACION:

1. Con una pluma escriba una "X" en una de las casillas para así indicar su apoyo u oposición. Después, firme y ponga la fecha sobre las rayas correspondientes que se encuentran más debajo de la atestación.
2. Meta la Tarjeta de Votación en el sobre incluido que ya trae la dirección del Secretario de Junta de Supervisores (Clerk of the Board of Supervisors) y séllelo.
3. Puede mandar la Tarjeta de Votación por vuelta de correo o entregarla personalmente:
 - **Si elige mandarla por correo,** asegúrese que lleve suficiente franqueo y que salga el 10 de Marzo del 2011 a más tardar. Si la pone después de esta fecha, corre riesgo de que su Tarjeta de Votación no llegue a tiempo para ser contada.
 - **Si elige entregarla personalmente,** llévela al Secretario de la Junta de Supervisores (Clerk of the Board of Supervisors) a su conveniencia, con tal que sea antes de las 5:00 p.m. el Martes, 15 de Marzo del 2011, Calle 1010 10th, Piso 6, Oficina #6700, Modesto, California, o si no tráigala para entregarla en la propia audiencia, a las 6:30 p.m. el 15 de Marzo del 2011, en la Cámara de la Junta de Supervisores localizado en el sótano en el edificio administrativo en Calle 1010 10th, Modesto, California.

Sea cual sea el método que elija para entregar su Tarjeta de Votación, tenga presente que para que sea contada será preciso que se reciba antes de las clausura de la audiencia pública que se llevara a cabo el día Martes, 15 de Marzo del 2011. Después de entregar la Tarjeta, uno podrá modificar o retirarla con tal de hacerlo antes de concluirse las declaraciones públicas que se darán en la audiencia tocante el aumento contributivo que se propone. Para hacerlo, presente su identificación con foto ante del Secretario de la Junta de Supervisores (Clerk of the Board of Supervisors). Si se equivoca al sellar su Tarjeta de Votación, o se le rompe o desfigura, escriba las palabra SPOILED (en ingles significa ARRUIINADA) sobre su Tarjeta y devuélvasela al Secretario de la Junta de Supervisores. Se le extenderá otra.

PARCELAS QUE TENGAN MÁS DE UN DUEÑO

Si el registro de la propiedad indica que cierta parcela identificado tiene más de un titular, los titulares podrán o (a) presentar una sola Tarjeta de Votación en nombre de todos los que sean dueños de esa propiedad o (b) cada titular podrá presentar su propia Tarjeta aunque, siendo así, significa que a la Tarjeta de cada titular se le asignara un peso o valor que será en proporción al porcentaje que le pertenezca a dicho titular. En aquellos casos en que cada titular quiera presentar Tarjeta de Votación individual, lo que habrá que hacer es devolver la Tarjeta, acompañada esta de una lista con los nombres y las direcciones de todos los titulares de la parcela/lote, señalando además el porcentaje de la parcela que sea de cada titular. Se le extenderá Tarjeta propia a cada titular, cada uno de los cuales será responsable por presentar la suya.

Si una entidad jurídica (como, por ejemplo, corporación, sociedad civil o consorcio) es titular de una propiedad enteramente o en parte, dicha entidad no podrá presentar sino una sola Tarjeta de Votación; los distintos titulares no podrán presentar Tarjetas por separado.

(English on reverse side)



STANISLAUS COUNTY



NOTICE OF PUBLIC HEARING, ASSESSMENT BALLOT PROCEDURE, AND BALLOT REGARDING PROPOSED ADDITION OF ALLEY LIGHTING AND THE LEVY OF AN ANNUAL ASSESSMENT FOR THE AIRPORT NEIGHBORHOOD LIGHTING DISTRICT TO PROVIDE FUNDING FOR MAINTENANCE AND OPERATION OF THE DISTRICT

You Are Hereby Notified, pursuant to Government Code Section 53753 (b), that the Board of Supervisors of the County of Stanislaus has set a public hearing to consider the addition of alley lighting to the Airport Neighborhood Lighting District, conduct an assessment ballot procedure, and consider the levy of an annual assessment for Fiscal Year 2011/2012 based upon the cost to operate and maintain the existing and proposed additional lighting. The hearing is set for 6:35 p.m., or as soon thereafter as the matter may be heard, on March 15, 2011, located in the Joint Chambers in the basement of the County/City Administration Building, 1010 10th Street, Modesto, California.

PROPOSAL

In November 2010 a petition, requesting the installation of streetlights in the alleyways of the District, was submitted to Stanislaus County with the signatures of 276 residents and property owners of the District. Property owners and residents signing the petition believe that alley lighting would improve the community as a whole by aiding law enforcement efforts and improving personal and property safety while deterring crime, gangs, graffiti, vandalism and other unwanted activities.

The proposal being considered is the addition of alley lighting to the Airport Neighborhood Lighting District and the levy of an annual assessment for Fiscal Year 2011/2012 based upon the cost to operate and maintain the existing and proposed additional lighting. To achieve adequate alley lighting levels while minimizing costs it is estimated that a maximum of 40 lights would be installed upon project approval. The exact number of lights installed may actually be less than 40 depending upon field placement issues such as clearances on existing utility poles, tree cover, and nearby lighting. This proposal uses the operating and maintenance costs for 71 existing streetlights and 40 proposed alleylights as a basis for planned expenses.

AMOUNT OF PROPOSED ASSESSMENT

If the District's landowners approve the proposed additional lighting the annual assessment will be:

The District's Total Annual Assessment = \$23,589.00 chargeable to the entire District for the 2011-2012 Fiscal year.

Your Individual Parcel Assessment = \$45.89 for each parcel for the 2011-2012 Fiscal Year. (this compares to \$24.10 per parcel for Fiscal Year 2010-2011)

The total amount of assessment that would be levied against your parcel for the 2011-2012 tax year is also listed in the upper right hand box of your ballot which is included with this notification.

REASON FOR PROPOSED ASSESSMENT AND BALLOT

The express purpose of the assessment is to provide a continued source of funding for the lighting services provided by the District. Annual assessments may increase or decrease as needed to provide funds to cover operating and maintenance costs. If operation and maintenance costs are less than expected, the District's fund balance will be carried forward to reduce the amount needed to be collected in the next Fiscal Year.

To fund the increased level of service and associated operating and maintenance costs for 40 additional lights there must also be a corresponding increase in assessment for the District's property owners. Pursuant to Proposition 218, an increase in assessment has to be approved by the District's property owners through an assessment ballot procedure and public hearing.

BASIS FOR ASSESSMENT

The basis for the proposed assessment is the equal distribution of the total cost of the service being provided by the District among all 514 parcels within the District. The equal distribution is accomplished through calculation of the following two formulas that have been in use since approved in 1999.

District's Total Annual Assessment = Estimated Operating, Maintenance, & Administrative Costs For Current Year (+ plus) Operational Reserve (- minus) Fund Balance From Previous Year (- minus) Estimated Property Tax Revenue For Current Year.

$\$28,541 + \$9,931 - \$8,387 - \$6496 = \$23,589$

Individual Parcel Assessment = District's Total Annual Assessment (/ divided by) District's total number of parcels.

$\$23,589 / 514 \text{ Parcels} = \45.89

EFFECT AND DURATION OF APPROVAL OR DISAPPROVAL

If approved, it is anticipated that the proposed alley lighting would be installed and operational by July 2011 for the start of the new 2011-2012 Fiscal Year. The costs of operating and maintaining the additional lights would become a permanent component of the annual assessment to be levied upon your parcel to pay for the District's services. The annual assessment for your parcel would continue indefinitely and may increase or decrease from year to year, depending on the amount of money needed to pay for operation and maintenance costs.

If the proposed alley lighting is not approved the lights would not be installed and the District would continue with the present number of existing streetlights (71) and corresponding annual assessments.

PUBLIC HEARING & BALLOT TABULATION

At the public hearing on the proposal, the Board of Supervisors will consider all objections or protests, if any, to the proposal. Any interested person may present written or oral testimony at the public hearing. After conclusion of the public hearing, the submitted Assessment Ballots will be tabulated to determine if a majority protest exists, and the results posted by the Clerk of the Board of Supervisors. Neither individuals nor groups will be permitted to oversee the tabulation of Assessment Ballots, however, all Assessment Ballots submitted are public information and subject to inspection by request under the Public Records Act.

PROTESTS

The proposal will not be approved if there is a majority protest. A majority protest exists if a simple majority of Assessment Ballots submitted are opposed to the proposal. The Assessment Ballots are weighted according to the proportional financial obligation of the affected property.

In addition to the Assessment Ballots in favor of or in opposition to the proposal, the Board of Supervisors also will consider any other protests to the proposed assessments at the public hearing. Any protest about the validity of the assessment or the regularity or sufficiency of the proceedings shall be in writing and shall clearly and specifically set forth the alleged irregularity or defect. Any grounds of protest not stated in a written protest filed prior to the close of the public hearing shall be deemed waived.

The Board of Supervisors retains all authority conferred by law, including the extent of services to be provided, and in the amount of the assessment (including the amounts of any individual assessments) provided, however, that the assessment shall not be increased beyond that specified by this notice without a new notice and proceedings in compliance with all laws.

ADDITIONAL INFORMATION

For further information, contact Mike Wilson at (209) 525-4190, or the Department of Public Works 525-4130, located at 1716 Morgan Road, Modesto, California 95358.



CONDADO DE STANISLAUS



AVISO PARA UNA AUDIENCIA PÚBLICA, PROCEDIMIENTO PARA VOTAR Y TARJETA DE VOTACION, PARA LA PROPOSICION DE AGREGAR ALUMBRADO EN LOS CALLEJONES Y DE RECAUDAR LA CONTRIBUCION ANUAL DEL DISTRITO DE ALUMBRADO DEL VECINDARIO DEL AEROPUERTO, PARA PAGAR POR LOS COSTOS ASOCIADOS CON EL MANTENIMIENTO Y LAS OPERACIONES DEL DISTRITO

Por medio de la presente y conforme a la Sección 53753(b) del código Gubernamental, se le notifica de que la Junta de Supervisores del Condado de Stanislaus ha fijado fecha para convocar a una audiencia pública para considerar la añadir alumbrado en los callejones en el Distrito de Alumbrado del Vecindario del Aeropuerto, conducir un proceso para el asesoramiento por medio de votación, y considerar recaudar el monto anual para el año fiscal 2011-2012 basado en los costos de operación y mantenimiento del alumbrado existente y del alumbrado adicional que se está proponiendo. La fecha y la hora prevista para la audiencia es el 15 de Marzo del 2011 a las 6:35 p.m., en la Cámara de Junta de Supervisores localizado en el sótano del edificio administrativo, Calle 1010 10th, Modesto, California.

LA PROPUESTA

En Noviembre del 2010 una petición para instalar luces en los callejones del Distrito fue suministrada al Condado de Stanislaus con las firmas de 276 residentes y propietarios del Distrito. Los propietarios y que firmaron la petición, creen que al poner estos alumbrados y las luces en los callejones mejoraran la comunidad en sí, ayudando los esfuerzos de la policía y mejorar su seguridad personal y de su propiedad, a la misma vez de desaminar la delincuencia, pandillas, grafiti, vandalismo y otras actividades no deseadas.

La propuesta que se está considerando es de agregar luces en los callejones del Distrito de Alumbrado del Vecindario del Aeropuerto y de recaudar un monto anual para el año fiscal 2011-2012 basado en el costo de operación y mantenimiento del alumbrado existente y del alumbrado adicional que se está proponiendo. Para lograr que haya adecuada iluminación en los callejones manteniendo los costos a lo mínimo, se estima que un máximo de 40 luces serán instaladas con la aprobación del proyecto. La cantidad de luces instaladas puede que sean menos de las 40 dependiendo si hay problemas, por ejemplo espacios libres en los postes de utilidades, arboles y luces cercanas. Esta proposición usa los costos operativos y de mantenimiento de las 71 luces existentes en las calles y 40 luces que se proponen en los callejones como una base para gastos estimados.

EL MONTO DE LA CONTRIBUCIÓN

Si los propietarios aprueban el alumbrado adicional que se propone, la imposición del asesoramiento de las contribuciones anuales será:

Asesoramiento Anual del Distrito = El monto total que se le asesorara y se le cargara a la cuenta del Distrito para el año fiscal 2011-2012 seria en el monto de **\$23,589.00**.

Asesoramiento por Parcela = El monto total de la contribución que se le asesoraría contra cada parcela/lote por el año fiscal 2011-2012 sería en el monto de \$45.89 (esto se compara a \$24.10 por parcela para el año fiscal 2010-2011).

El monto total de la contribución que se le asesora a cada parcela/lote por los años fiscales 2011-2012 lo conseguirá en la cajita que se encuentra en la parte de arriba a la mano derecha de la tarjeta de votación, la cual está incluida con esta notificación.

EL MOTIVO POR EL ASESORAMIENTO Y LA VOTACIÓN

El objetivo explícito de esta propuesta es de poder mantener los fondos necesarios para mantener los servicios de alumbrado suministrados por el Distrito. El asesoramiento anual puede aumentar o disminuir la contribución anual automáticamente según se necesiten fondos para cubrir los gastos operativos y de mantenimiento. Si los costos de operación y mantenimiento son menos de lo que se estima, el sobro de los fondos se mueven para el año siguiente reduciendo su contribución para el siguiente año fiscal.

Para financiar el aumento del nivel de los servicios y los costos operativos y de mantenimiento asociados con las 40 luces adicionales, debe de haber un aumento correspondiente en el asesoramiento para los propietarios del Distrito. Según la Proposición 218, un aumento en el asesoramiento tiene que ser aprobado por los propietarios del Distrito a través de un proceso de votación y una audiencia pública.

BASE PARA LA IMPOSICIÓN DE LA CONTRIBUCIÓN

La base para el asesoramiento que se propone es la distribución equitativa de los costos total del servicio que provee el Distrito entre todas las 514 parcelas dentro del Distrito. La distribución equitativa es lograda a través de la calculación de las siguientes dos formulas, las cuales han estado en uso desde la aprobación en 1999.

Asesoramiento Anual del Distrito = El Costo Estimado para la Operación, el mantenimiento y la Administración para el Año en Corriente (+ más) Reservas Operacionales (- menos) Saldo del Balance del Año Anterior (- menos) Ingresos de los Impuestos Estimados de la Propiedad para el Año en Corriente.

$$\$23,541 + \$9,931 - \$8,387 - \$6,496 = \$23,589$$

Asesoramiento por Parcela Individual = El Total Asesoramiento Anual del Distrito (/ dividido por) todas las parcelas.

$$\$23,589 / 514 \text{ Parcelas} = \$45.89$$

EFFECTO Y DURACIÓN DE LA APROBACIÓN Ó DESAPROBACIÓN

Una vez aprobada, se anticipa que el alumbrado en los callejones serán instalados y en operación para Julio del 2011, el comienzo del nuevo año fiscal 2011-2012. Los costos de operación y mantenimiento de las luces adicionales serán un componente permanente del asesoramiento anual que será recaudado de su parcela para pagar por los servicios del Distrito. El asesoramiento anual para su parcela/lote puede aumentar o disminuir cada año, dependiendo de la cantidad de dinero que se necesita para pagar el costo de operación y de mantenimiento.

Si el alumbrado de los callejones que se propone no es aprobado, las luces no serán instaladas y el Distrito continuara con las luces de las calles existentes (71) y el correspondiente asesoramiento anual.

AUDIENCIA PÚBLICA Y CONTAR LAS TARJETAS DE VOTACIÓN

Durante la audiencia pública sobre la propuesta, la Junta de Supervisores dará consideración a cualquier objeción o protesta que se haga. Cualquier persona interesada podrá declarar oralmente o por escrito durante la audiencia. Después de que concluya esta, se contarán las Tarjetas de Votación para determinar si existe una mayoría y los resultados serán anunciados por el Secretario de la Junta de Supervisores. No se permitirá que ningún individuo o grupo fiscalice el recuento de las Tarjetas de Votación pero toda Tarjeta depositada constituirá información pública y será supeditado a inspección por petición y conforme a la Ley de Registros Públicos.

PROTESTA

No se impondrá la propuesta si una mayoría se opone. Para que exista una oposición mayoritaria basta con que una simple mayoría de las Tarjetas de Votación presentadas se oponga a la propuesta. El peso que se le dé a cada Tarjeta será en proporción a la obligación financiera de la propiedad afectada.

Además de las Tarjetas de Votación que estén a favor o en contra de la propuesta, la Junta de Supervisores durante la audiencia pública, tomara en cuenta cualquier otro punto de vista que se oponga a las contribuciones. Cualquier oposición a la validez del asesoramiento, o en cuanto a cualquier anomalía en los procedimientos ó la suficiencia de estos, tendrá que presentarse por escrito y tendrá que exponer clara y concretamente la anomalía o defecto que se alega. Todo punto de vista en oposición que no se haya presentado por escrito antes de clausurar la audiencia pública será considerado como una renuncia al derecho de hacerlo.

La Junta de Supervisores retiene toda la autoridad que la ley le concede, inclusive la autoridad para modificar los servicios que se proveerá, y el monto de la contribución (incluyendo el monto de cualquier contribución individual), siempre y cuando no aumente el monto de la contribución más allá de lo que el presente aviso especifica sin avisar de nuevo o llevar a cabo nuevos procedimientos en cumplimiento de todas las leyes.

INFORMACIÓN ADICIONAL

Si quiere hacer alguna pregunta por favor llame al Sr. Mike Wilson, al (209) 525-4190 o al Departamento de Obras Públicas al 525-4130, localizado en el 1716 Morgan Road, Modesto, California.

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO**, County of **STANISLAUS**, State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS**, State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Mar 01, 2011, Mar 08, 2011

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

March 8th, 2011

(By Electronic Facsimile Signature)

Marie Hickman

**NOTICE OF PUBLIC HEARING
AIRPORT NEIGHBORHOOD
LIGHTING DISTRICT
AND PROPOSED ADDITION OF AL-
LEY LIGHTING, AND ASSESSMENT
BALLOT PROCEDURE AND THE LE-
VY OF AN ANNUAL ASSESSMENT**

NOTICE IS HEREBY GIVEN that on Tuesday, March 15, 2011, at the hour of 6:35 p.m., or as soon thereafter as the matter may be heard, in the Basement Chambers in the City/County Administration Building, 1010 10th Street, Modesto, California, the Board of Supervisors of Stanislaus County will hold a public hearing to consider the addition of alley lighting to the Airport Neighborhood Lighting District, conduct an assessment ballot procedure, and consider the levy of an annual assessment based upon the proposed additional lighting.

The District contains all that certain real property located in Sections 33 and 34, of Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, particularly described as follows:

Beginning at a point on the existing Modesto City Limits as established by the La Loma - Yosemite Addition, recorded December 4, 1953 as Instrument No. 30045, Stanislaus County Records, said point being at the intersection of the northern line of the Modesto and Empire Traction Company railroad right-of-way and the western line of Empire Avenue as shown on the map of the Modesto Colony filed July 30, 1888 in Volume 1 of Maps, Page 33, Stanislaus County Records, thence westerly, as described for the southerly boundary line of said La Loma-Yosemite Addition, along the north line of the Modesto and Empire Traction Company railroad right-of-way to the southeast corner of Lot 9, Block 1 of Del Este Subdivision as shown in Vol. 8 of Maps, at page 12 Stanislaus County Records; thence northerly along the west line of the alley in said Block 1 of said Subdivision, to the southeast corner of Lot 15 of said Block 1; thence westerly along lot lines which are parallel to and 110 ft. south of 66 ft. wide Waterford Road, now Yosemite Boulevard, to the west line of 60 ft. wide Santa Rosa Avenue; thence southerly along said west line of Santa Rosa Avenue to the south line of 60 ft. wide Oregon Drive; thence easterly along said south line of Oregon Drive to the west line of the 10 ft. alley on the west boundary of Block 5 and 6 of the Sierra Subdivision as shown in Vol. 11 of Maps, at Page 15, Stanislaus County Records; thence southerly along said west line and the southerly extension thereof to the northwest corner of Parcel "A", shown on map filed in Vol. 4 of Parcel Maps, Page 72, Stanislaus County Records; thence easterly along north line of said Parcel "A" and easterly extension thereof, to the southerly line of 40 ft. wide Hillside Drive; thence southeasterly along said southerly line to the east line of 60 ft. wide Thrasher Avenue, as shown on map of Victory Tract, filed in Vol. 14 of Maps, Page 24, Stanislaus County Records; thence north on said east line to the west prolongation of the most southerly line of the Orville Wright School property; thence east along said south line and the extension thereof to the west line of Block 2114 of Legion Park Tract as shown in Vol. 14 of Maps, at Page 10, Stanislaus County Records, thence south along said west line and extension thereof to the northwest corner of Lot 16 of Block 2145 of said tract; thence easterly along the north line of said Lot 16 and the easterly extension thereof to the easterly line of Conejo Avenue; thence northerly on said easterly line to the northern line of Tuolumne Avenue (now known as Monterey Avenue) as shown on said map of Legion Park Tract; thence along said northern line of Tuolumne Avenue, westerly to a point on the north-south quarter section line of Section 34 T.3S. - R.9E., M.D.M. & M.; thence along said quarter section line, said line also being the eastern line of Block 2141 of the Sierra Subdivision No.2 as shown on the map recorded in Vol. 11 of Maps, Page 31, Stanislaus County Records, northerly to the southeastern cor-

ner of Lot 2 of said Block 2141, said point also being the southeastern corner of the land conveyed to the City of Modesto by deed recorded August 29, 1939, as Instrument No. 10214, Stanislaus County Records; thence following along the boundary of said City of Modesto property, westerly and northerly, to a point on the northern line of Lot 1 of said Block 2141, and southern line of Sierra Avenue (now known as Oregon Drive) as shown on said map of Sierra Subdivision No.2, said point also being the southwestern corner of that portion of Sierra Avenue abandoned by Petition No. 621 recorded in Vol. 739, Page 137, Stanislaus County Records; thence along the western line of said abandoned Sierra Avenue, northerly, to the northwest corner of said abandoned Sierra Avenue; thence northerly to a point on the southern line of Tioga Drive as said Tioga Drive is shown on the map of the Sierra Subdivision No. 3 recorded in Vol.11 of Maps, Page 44, Stanislaus County Records, said point also being the southwestern corner of that portion of said Tioga Drive abandoned by said Petition No. 621; thence along the northwestern line of said abandoned Tioga Drive, northeasterly to the northwestern corner of said abandoned Tioga Drive; thence northeasterly, to a point on the western line of Conejo Avenue as said Conejo Avenue is shown on said map of Sierra Subdivision No.3, said point also being the northwestern corner of that portion of said Conejo Avenue abandoned by said Petition No. 621; thence along the northwestern line of said abandoned Conejo Avenue, northeasterly, to the northeastern corner of said abandoned Conejo Avenue; thence along the eastern line of said Conejo Avenue, northerly to a point which is 20.00 ft. southerly from the northwestern corner of Lot 17, Block 2150, as shown on said Map of Sierra Subdivision No.3; thence on a line parallel to and 20.00 ft. measured at right angles, southerly from the northern line of said Lot 17, easterly, to a point on the north-south quarter section line of said Section 34, said point also being on the eastern line of said Sierra Subdivision No.3; thence along said eastern line of Sierra Subdivision No.3, northerly, to a point on the southern line of Tenaya Drive as shown on said map of Sierra Subdivision No.3; thence westerly along the southern line of said Tenaya Drive to its intersection with the southerly extension of the western line of said Empire Avenue; thence northerly along said southerly extension and the western line of said Empire Avenue to the point of beginning.

Containing 323 acres, more or less.

Excepting therefrom the Tuolumne Regional Park No1 Annexation to the City of Modesto, annexed by City of Modesto Ordinance 74-883 recorded as Instrument Number 19675 on November 19, 1974 Stanislaus County Records.

Also excepting therefrom the North Airport Annexation to the City of Modesto, annexed by City of Modesto Ordinance 80-732 recorded as Instrument Number 30982 on December 8, 1981 Stanislaus County Records.

Also excepting therefrom the South Airport Annexation to the City of Modesto, annexed by City of Modesto Ordinance 80-191 recorded as Instrument Number 30983 on December 8, 1981 Stanislaus County Records.

Also excepting therefrom the Mono-Kerr Annexation to the City of Modesto, annexed by City of Modesto Ordinance 86-378 recorded as Instrument Number 67143 on May 21, 1986 Stanislaus County Records.

NOTICE IS FURTHER GIVEN that at the above time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. For additional information call Stanislaus County Public Works at 209-525-4130. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: January 25, 2011. ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Elizabeth A. King, Assistant Clerk.