

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

DEPT: Public Works *JLB*

BOARD AGENDA # 9:05 a.m.

Urgent Routine

AGENDA DATE July 26, 2011

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Public Hearing to Consider the Approval of the Fiscal Year 2011-2012 Assessments for County Services Area Nos. 4 through 26, Landscape Assessment District Del Rio Heights and Landscape and Lighting Districts: Bret Harte, Bystrum, Howard/McCracken, Laurel, Paradise South, Riverdale, Riverview, and Shackelford

STAFF RECOMMENDATIONS:

1. Find that the notice of public hearing was published in compliance with Section 6066 of the Government Code.
2. Conduct a public hearing to receive comments regarding the Fiscal Year 2011-2012 annual assessments.

(Continued on Page 2)

FISCAL IMPACT:

The total assessments to be levied are: County Service Areas \$689,641, Landscape and Lighting Districts \$181,048, Landscape Assessment District \$4,512.

BOARD ACTION AS FOLLOWS:

No. 2011-449

On motion of Supervisor DeMartini, 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) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST: Elizabeth A. King
ELIZABETH A. KING, Assistant Clerk

File No.

Public Hearing to Consider the Approval of the Fiscal Year 2011-2012 Assessments for County Services Area Nos. 4 through 26, Landscape Assessment District Del Rio Heights and Landscape and Lighting Districts: Bret Harte, Bystrum, Howard/McCracken, Laurel, Paradise South, Riverdale, Riverview, and Shackelford

3. Set the Fiscal Year 2011-2012 annual assessments as shown on Exhibit "A" for the following County Service Areas (CSA), Landscape Assessment District (LAD and Landscape and Lighting Districts (LLD).

CSA NO. 4 - Bristol Glen (Salida)
CSA NO. 5 - Starlite Place (Keyes)
CSA NO. 7 - Modesto Auto Center (north Modesto)
CSA NO. 8 - Honey Bee Estates (Empire)
CSA NO. 9 - River/Souza (north Ceres)
CSA NO. 10 - Salida
CSA NO. 11 - Gilbert Road (Oakdale)
CSA NO. 12 - Peach Blossom Estates (Oakdale-Riverbank)
CSA NO. 16 - Olive Ranch Estates (east Oakdale)
CSA NO. 18 - Atlas Park (east Oakdale)
CSA NO. 19 - Tuolumne-Gratton (Denair)
CSA NO. 20 - Summit (north Modesto)
CSA NO. 21 - Riopel (Denair)
CSA NO. 22 - Old School North (Denair)
CSA NO. 23 - Hillsborough-Schutz (east Oakdale)
CSA NO. 24 - Hideaway Terrace (Denair)
CSA NO. 25 - Suncrest II (Denair)
CSA NO. 26 - Keyes
Del Rio Heights LAD
Bret Harte LLD (south Modesto)
Bystrum LLD (northwest Ceres)
Howard/McCracken LLD (Westley area; I-5/McCracken interchange)
Laurel LLD (south Ceres)
Paradise South LLD (south Modesto)
Riverdale LLD (south Modesto)
Riverview LLD (south Modesto)
Shackelford LLD (south Modesto)

4. Make the Engineer's Reports a part of the record of this proceeding.
5. Authorize the Auditor-Controller to add the annual assessments to the 2011-2012 Tax Roll.
6. Approve a resolution to levy Fiscal Year 2011-2012, and each subsequent fiscal year in which the charges may validly be levied, benefit assessment rates for those districts as listed in Staff Recommendation No. 3.

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DISCUSSION:

County Service Areas typically provide extended maintenance services for the storm drain system, landscaping at the storm drain basin, and landscaping of the park system to their respective districts. Services may be in the form of street sweeping, cleaning and maintenance of the storm drain system, and maintenance of the associated landscaping, streetscaping, and/or parks. Landscape and Lighting districts generally provide street light operations and maintenance. The single Landscape Assessment District provides streetscape services to the Del Rio area.

Government Code Section 25210.77(A) [CSA] and Streets and Highways Code Sections 22565 through 22574 [LLD] require that a written report containing a description of each parcel of real property receiving the particular extended service and the amount of the assessment for each parcel be prepared once a year and filed with the Clerk of the Board of Supervisors.

CSAs 16 through 26 have an approved methodology in place to annually adjust the assessment rate based on projected costs of services. However, the methodology was not implemented when CSAs 4 through 12 were established. Therefore, the assessment for these districts may not be increased without a Proposition 218 vote of the respective property owners. It has been necessary to use existing fund balance each year to offset the operations and maintenance costs in excess of the available assessment. When fund balance is depleted, it will be necessary to either reduce service levels to match the available assessment, or conduct a Proposition 218 vote to increase the assessment.

Department of Public Works, and Parks and Recreation staff have made a concentrated effort to review each County Service Area (CSA), Landscape Assessment District (LAD) and Landscape and Lighting District (LLD) to determine appropriate levels of service for each and to develop costs based on those services. In general, cost increases are due to inflated energy and fuel costs, vandalism and theft.

The timing of the preparation of the Engineer's Reports and the Proposed Budget result in some variances in reported numbers. When the Engineer's Reports and associated assessments are approved, a reconciliation will be performed and the Special District Summary budget schedule will be updated and submitted with the 2011–2012 Final Budget in September.

While conducting a review of the districts' parcels, a change in the number of parcels was identified in three of the districts, resulting in a revised engineer's report. The effect of the parcel number change is reflected in the proposed assessment for CSA 26 (\$114.52), Shackelford LLD (\$49.36), and Riverview LLD (\$40.42). The revisions are also reflected on Exhibit A.

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The following is a summary of the proposed Fiscal Year 2011-2012 annual assessments as set forth in Exhibit "A":

CSA 4 - Bristol Glen (in Salida): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain system. The assessment for Fiscal Year 2011-2012 is \$31.38 per parcel, which is no change from the assessment of Fiscal Year 2010-2011. An amount of \$5,862 is proposed to be withdrawn from available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$10,161, thereby keeping the assessment at the previous year's level. The use of fund balance in Fiscal Year 2010-2011 was \$6,381.

It is estimated there will be a fund balance on June 30, 2011, of \$86,154. This amount has been generated in order to have funds available for future capital improvements in the storm drain system, including an estimated \$23,000 for one (1) 20 HP drainage basin pump replacement. This fiscal approach is aimed at accumulating a sufficient reserve by the time capital improvements are required so that no increase in the annual assessment will be necessary to cover these costs.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund the costs from July 1st to December 31st \$5,080, one half of the annual operating budget, will be used from available fund balance.

CSA 5 - Starlite Place (in Keyes): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain system. The assessment for Fiscal Year 2011-2012 is \$32.24 per parcel, which is no change from the assessment of Fiscal Year 2010-2011. An amount of \$3,977 is proposed to be withdrawn from available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$10,476, thereby keeping the assessment at the previous year's level. The use of fund balance in Fiscal Year 2010-2011 was \$3,985.

It is estimated there will be a fund balance on June 30, 2011, of \$138,671. This amount has been generated in order to have funds available for future capital improvements in the storm drain system, including an estimated \$46,000 for two (2) 20 HP drainage basin pump replacements. This fiscal approach is aimed at accumulating a sufficient reserve by the time the capital improvements are required so that no increase in the annual assessment will be necessary to cover these costs.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the

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annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund the costs from July 1st to December 31st \$5,238, one half of the annual operating budget, will be used from available fund balance.

CSA 7 - Modesto Auto Center (in north Modesto): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain system. The assessment for Fiscal Year 2011-2012 is \$253.81 per net acre. There is no change in the assessment from Fiscal Year 2010-2011. An amount of \$2,898 is proposed to be withdrawn from available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$4,898, thereby keeping the assessment at the previous year's level. The use of fund balance in Fiscal Year 2010-2011 was \$2,967.

It is estimated there will be a fund balance on June 30, 2011, of \$57,053. This amount has been generated in order to have funds available for future capital improvements in the storm drain system, including an estimated \$25,000 for two (2) 10 HP drainage basin pump replacements. This fiscal approach is aimed at accumulating a sufficient reserve by the time capital improvements are required so that no increase in the annual assessment will be necessary to cover these costs.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$2,449, one half of the annual operating budget, will be used from available fund balance.

CSA 8 - Honey Bee Estates (in Empire): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain system. The assessment for Fiscal Year 2011-2012 is \$31.24 per parcel. There has been no change over the previous year's assessment. An amount of \$3,067 is proposed to be withdrawn from available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$3,817, thereby keeping the assessment at the previous year's level. The use of fund balance in Fiscal Year 2010-2011 was \$6,356.

It is estimated there will be a fund balance on June 30, 2011, of \$22,455. The continued use of fund balance to offset the cost of operating the CSA will deplete fund balance within 6 years to a point where either service will have to be reduced to match the revenue being collected, or a ballot measure to increase the assessment, per Proposition 218, would have to be conducted.

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The fiscal year is the 12-month period from on July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$1,909, one half of the annual operating budget, will be used from available fund balance.

CSA 9 - River/Souza (in Ceres area): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain system. The assessment for Fiscal Year 2011-2012 is \$20.26 per parcel. There has been no change over the previous year's assessment. An amount of \$5,507 is proposed to be withdrawn from available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$7,006, thereby keeping the assessment at the previous year's level. The use of fund balance in Fiscal Year 2010-2011 was \$9,534.

It is estimated there will be a fund balance on June 30, 2011, of \$57,053. This amount was generated in order to have funds available for capital improvements in the storm drainage system.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$3,503, one half of the annual operating budget, will be used from available fund balance.

CSA 10 – Salida: This CSA was established in October 1990, to provide extended governmental services for parks, streetscape, and storm drain maintenance, library, and sheriff for the benefit of parcels within the CSA 10. Historically, library services have not been included in assessments. Sheriff services were removed in Fiscal Year 2010-2011 due to the general benefit level of service having increased to match or exceed the CSA 10 agreed upon level of service.

The following is a summary of the proposed Fiscal Year 2011-2012 annual assessments:

The assessment for Fiscal Year 2011-2012 is \$139.32 per equivalent benefit unit (EBU). Therefore a single family residential lot is \$139.32 per parcel, undeveloped commercial/industrial properties are levied at \$487.62 per acre (3.5 EBU per acre), and public property is levied at \$306.50 per acre (2.2 EBU per acre). The assessment for Landmark Business Center #2 is \$42.34 per acre. All of the assessments listed herein have not changed from Fiscal Year 2010-2011.

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On June 30, 2011, it is estimated that CSA 10 will have the following fund balances: Administration will have a balance of \$4,799, the Parks and Recreation Department will have a balance of \$9,819 and Public Works will have a balance of \$267,135. The Public Works amount has been generated in order to have funds available for future capital improvements in the storm drain system. CSA 10 has nine pumps located throughout the system. North pond has three (3) 70 HP pumps, south pond has two (2) 50 HP pumps and Landmark Business Center has two (2) 7.5 HP pumps. The collective total replacement cost is estimated at \$380,000. The current capital reserve is \$126,000. This fiscal approach is aimed at accumulating a sufficient reserve by the time the pumps are replaced so that no increase in the annual assessment will be necessary.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$72,346, one half of the annual operating budget in CSA 10 Public Works will be used from available fund balance. Since CSA 10 is set up as separate funds for Administration, Parks and Recreation, and Public Works, funds are not comingled. Therefore the reserve funds in CSA 10-Public Works are not available to offset costs in the other funds. There is insufficient fund balance to fund the 6-month dry period in CSA 10 Parks, which will result in a fund deficit in the beginning half of the year. The deficit will be eliminated by year end as assessments are received. The operations and maintenance budget for CSA 10 Public Works is \$144,692, CSA 10 Parks is \$250,000, and the CSA 10 Administration budget is \$5,000 for a total budget of \$399,692. This is reflected in Exhibit "A" as CSA 10 and CSA 10-Landmark.

CSA 11 - Gilbert Road (in Oakdale area): The purpose of this District is to ensure the ongoing maintenance and grading of the storm drain system. The assessment for Fiscal Year 2011-2012 is \$0 per linear foot. There has been no change over the previous year's assessment. An amount of \$3,000 is proposed to be withdrawn from the available fund balance in Fiscal Year 2011-2012 to completely offset operations and maintenance costs and provide needed shoulder grading, thereby keeping the assessment at \$0. The use of fund balance in Fiscal Year 2010-2011 was \$300.

It is estimated there will be a fund balance on June 30, 2011, of \$8,202. The remaining fund balance will be used to offset future operations and maintenance costs.

CSA 12 - Peach Blossom Estates (in west Oakdale area): The purpose of this District is to insure the ongoing maintenance, operation, and servicing of the storm drain system. The assessment for Fiscal Year 2011-2012 is \$83.34, which is no change from the previous year's assessment. An amount of \$1,765 is proposed to be withdrawn

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from available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$2,765, thereby keeping the assessment at the previous year's level. The use of fund balance in Fiscal Year 2010-2011 was \$2,931.

It is estimated there will be a fund balance on June 30, 2011, of \$26,534. This amount was generated in order to have funds available for capital improvements in the storm drainage system.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment is not collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$1,383, one half of the annual operating budget, will be used from available fund balance.

CSA 16 - Olive Ranch Estates (in east Oakdale area): The purpose of this District is to ensure the ongoing maintenance, operation and servicing of the storm drain system and landscaping of the storm drain basin. The assessment for Fiscal Year 2011-2012 is \$572.86. The Fiscal Year 2010-2011 assessment was \$641.47 per parcel. The proposed annual assessment is a decrease of \$68.61 (11%) from last year's assessment. The decrease is the result of lower administration and park maintenance costs.

It is estimated there will be a fund balance on June 30, 2011, of \$49,682. This amount has been generated in order to have funds available for future capital improvements in the storm drain system, including an estimated \$46,000 for two (2) 20 HP drainage pump replacements. In addition, an amount of \$10,000 has been set aside in order to establish a Parks capital reserve for the replacement of playground structures, landscaping and trees. The current capital reserve is \$29,414. This fiscal approach is aimed at accumulating a sufficient reserve by the time capital improvements are required so that no increase in the annual assessment will be necessary.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$8,593, one half of the annual operating budget of \$17,186, will be used from available fund balance.

CSA 18 - Atlas Park (in east Oakdale area): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain basin, storm drain system, and park. The assessment for Fiscal Year 2011-2012 is \$651.30, which is an

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increase of \$24.33 (4%) from the prior year's assessment. An amount of \$2,250 is proposed to be withdrawn from the available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$12,671. The use of fund balance in Fiscal Year 2010-2011 was \$3,100. It is estimated there will be a fund balance on June 30, 2011, of \$8,858.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$6,335, one half of the annual operating budget will be used from available fund balance.

CSA 19 - Tuolumne-Gratton (in Denair): The purpose of this District is to ensure the ongoing maintenance, operation and servicing of the storm drain basin, storm drain system, and park. The Fiscal Year 2011-2012 assessment for Sterling Ranch Units 1-5 is \$125.40 per parcel and for Runyan Country Estates, \$43.74 per parcel. The assessment for Sterling Ranch has decreased by \$42.70 (25%) and Runyan Estates has increased \$0.84 (2%). The decrease is the result of significantly lower parks maintenance costs. An amount of \$1,500 for Runyan Estates is proposed to be withdrawn from available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs. The use of fund balance in Fiscal Year 2010-2011 was \$500 for Runyan Estates. The total operations budget for CSA 19 is \$40,623.

It is estimated there will be a fund balance on June 30, 2011, of \$158,836 for Sterling Ranch and \$10,409 for Runyan Estates for a total of \$169,245 for the CSA. This amount has been generated in order to have funds available for future capital improvements in the storm drain system, including an estimated \$54,000 for two (2) 25 HP drainage basin pump replacements. In addition, \$3,000 is being added to the Parks capital reserve for unforeseen and/or catastrophic events in regards to vandalized irrigation, turf, trees or playground equipment. This brings the Parks capital reserve to \$6,000. The current capital reserve is \$60,000. This fiscal approach is aimed at accumulating a sufficient reserve by the time capital improvements are required so that no increase in the annual assessment will be necessary.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$20,311, one half of the annual operating budget will be used from available fund balance.

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CSA 20 - Summit (industrial park in north Modesto area): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain basin and storm drain system. The assessment for Fiscal Year 2011-2012 is \$171.35. This is a \$6.16 (3%) decrease from the Fiscal Year 2010-2011 assessment of \$177.51. The decrease is the result of lower administration and maintenance costs.

It is estimated there will be a fund balance on June 30, 2011 of \$4,420. The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$3,081, one half of the annual operating budget of \$6,162, will be used from available fund balance.

CSA 21 - Riopel (in Denair): The purpose of this District is to ensure the ongoing maintenance, operation and servicing of the storm drain basin, storm drain system, and park. The assessment for Fiscal Year 2011-2012 is \$454.98 per parcel. This is a \$53.53 (13%) increase to the Fiscal Year 2010-2011 assessment of \$401.45. It is estimated there will be a fund balance on June 30, 2011 of \$ 64,803. An amount of \$2,500 is proposed to be withdrawn from available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$27,979. In addition, \$3,000 is being added to the capital reserve established for unforeseen and/or catastrophic events in regards to vandalized irrigation, turf, trees or playground equipment. This brings the park's reserve to \$6,000. The use of fund balance in Fiscal Year 2010-2011 was \$11,250.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$13,989, one half of the annual operating budget, will be used from available fund balance.

The park's maintenance section was added to CSA 21 in Fiscal Year 2009-2010. In prior years, the park was under development and the responsibility of the developer. An increase of approximately 20% was to be implemented for 3 consecutive years, Fiscal Year 2009-2010 through 2011-2012, to capture the increase in the Parks and Recreation budget for services provided to CSA 21. During those three years, fund balance will be used to offset the operational costs, allowing for a gradual increase in assessments.

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CSA 22 - Old School North (in Denair): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain basin, storm drain system, and park. The assessment for Fiscal Year 2011-2012 is \$831.29, which is an \$11.30 decrease or 1% from the Fiscal Year 2010-2011 assessment of \$842.59. The decrease is the result of lower administration and maintenance costs. It is estimated there will be a fund balance on June 30, 2011, of \$21,871. An amount of \$1,600 is proposed to be withdrawn from the available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$10,744, thereby keeping the assessment near the previous year's level. The use of fund balance in Fiscal Year 2010-2011 was \$2,100.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is collected in December and April, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$5,372, one half of the annual operating budget, will be used from available fund balance.

CSA 23 - Hillsborough-Schutz (in east Oakdale): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain system and river outfall facility. The assessment for Fiscal Year 2011-2012 is \$59.77, which is a slight decrease from the Fiscal Year 2010-2011 assessment of \$60.41. An amount of \$4,000 is proposed to be withdrawn from the available fund balance in Fiscal Year 2011-2012 to offset operations and maintenance costs of \$8,602, thereby keeping the assessment near the previous year's level. The use of fund balance in Fiscal Year 2010-2011 was \$5,000. The estimated fund balance as of June 30, 2011 is \$79,353.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$4,301, one half of the annual operating budget, will be used from available fund balance.

CSA 24 - Hideaway Terrace (in Denair): The purpose of this District is to ensure the ongoing maintenance, operation and servicing of the storm drain basin, storm drain system, and park. The assessment for Fiscal Year 2011-2012 is \$587.98. This is a \$32.25 (5%) decrease from the Fiscal Year 2010-2011 assessment of \$620.23. The decrease is the result of lower administration and maintenance costs. The total budget for CSA 24 is \$9,408.

The estimated fund balance as of June 30, 2011 is \$590, compared to a negative fund balance of \$13,139 the previous year. The negative balance was due to property owners in the district defaulting on property taxes and assessments. Approximately one

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half of those were brought current in Fiscal Year 2010-2011. Assessments will continue to be placed on the tax rolls and services will continue to be provided in order to maintain the infrastructure that has been put into place. Fund Balance will be restored as defaulted property taxes and assessments are brought current. Penalties and interest on associated revenues will also be received. On August 11, 2009 the Board of Supervisors approved, as authorized by Government Code Section 25214.5, the establishing of a revolving fund to address temporary funding shortfalls of this nature.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. Due to the lack of fund balance, there are no funds available to cover expenses for the first six months as explained above. The deficit created by the lag in payments will be eliminated by year end as assessments are received.

CSA 25 - Suncrest II (in Denair): The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain basin, storm drain system, and the adjacent lot located west of the basin. The assessment for Fiscal Year 2011-2012 is \$777.68 per parcel. This is an increase of \$177.30 (29.5%) from the Fiscal Year 2010-2011 assessment of \$600.38. This increase is due primarily to the unavailability of fund balance to offset operating and maintenance costs. The operation's budget for Fiscal Year 2011-2012 is \$10,470, approximately \$800 lower than the previous year.

The estimated fund balance as of June 30, 2011 is \$4,818. The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to cover costs from July 1st to December 31st, fund balance must be used. There is insufficient fund balance available to cover the entire period; therefore, an amount of \$417 has been added to the balance to levy in order to rebuild fund balance. This will ensure there are resources available in Budget Year 2012-2013 to cover the 6-month lag period.

CSA 26 - Keyes: The purpose of this District is to ensure the ongoing maintenance, operation, and servicing of the storm drain basin, storm drain system, and parks. The assessment for Fiscal Year 2011-2012 is \$ 114.52. This is a decrease of \$44.85 (28%) from the previous year's assessment of \$159.37. An amount of \$84,082 is proposed to be withdrawn from the available fund balance in Fiscal Year 2011-2012 for park improvements. The Fiscal Year 2011-2012 assessment is significantly lower due to the park improvement funds having been included in prior years' assessments and lower administration and park's maintenance costs.

Public Hearing to Consider the Approval of the Fiscal Year 2011-2012 Assessments for County Services Area Nos. 4 through 26, Landscape Assessment District Del Rio Heights and Landscape and Lighting Districts: Bret Harte, Bystrum, Howard/McCracken, Laurel, Paradise South, Riverdale, Riverview, and Shackelford

On June 30, 2011, it is estimated that CSA 26 will have a fund balance of \$481,313. This reserve will remain in place to have funds available for future capital improvements in the storm drain system. CSA 26 has five pumps located throughout the system. There is one (1) outfall pump and four (4) lift station pumps. The collective total replacement cost is estimated at approximately \$165,000. This fiscal approach is aimed at accumulating a sufficient reserve by the time the pumps are replaced so that no increase in the annual assessment will be necessary. The current capital reserve is \$188,132. Fund balance in the amount of \$84,082 was set aside in previous years for Parks to use for improvements in Bonita Ranch and Hatch Parks. Since both parks were under construction and inaccessible at that time the monies will be used in Fiscal Year 2011-2012 for lighting, park fencing, a multi-use sport field, irrigation, turf, trees and playground equipment. The total use of fund balance for Fiscal Year 2011-2012 is \$84,082.

The fiscal year is the 12-month period from July 1st through June 30th of the following year. The annual assessment is received with property taxes collected in December and April. This means the fiscal year starts on July 1st but the first installment of the annual assessment will not be collected until December, creating a 6-month lag in receiving the money necessary to maintain the various services provided. In order to fund costs from July 1st to December 31st \$103,695, one half of the annual operating budget of \$207,389, will be used from available fund balance.

Del Rio Heights Landscape Assessment District: The District provides Streetscape and Landscape maintenance to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$106.99 per EBU, which is the same as the previous year's assessment. This assessment will generate \$4,512 in revenue. The total budget is \$3,764 and the remaining assessment revenue will go to rebuilding the District's fund balance. The estimated fund balance as of June 30, 2011 is a negative \$4,260, due to the lack of assessment revenue from 2005 until 2010, when the assessments resumed.

The fiscal year starts in July, however, the first installment of assessments is received in December; due to lack of fund balance, there are no funds to cover operating costs from July through December. The deficit created by the lag in payments will be eliminated by year end as assessments are received.

Bret Harte Landscape and Lighting District (in south Modesto area): The District provides street lighting to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$42.91 per parcel. This is an increase of \$0.09 from the Fiscal Year 2010-2011 assessment of \$42.82. The first installment of assessments is received in December; therefore fund balance must be used to cover operating costs from July 1st through December 31st. There are insufficient funds to cover this dry period; therefore an amount of \$2,204 has been added to the balance to levy to rebuild fund balance. This will ensure there are resources available in Budget Year 2012-2013 to cover the 6-

Public Hearing to Consider the Approval of the Fiscal Year 2011-2012 Assessments for County Services Area Nos. 4 through 26, Landscape Assessment District Del Rio Heights and Landscape and Lighting Districts: Bret Harte, Bystrum, Howard/McCracken, Laurel, Paradise South, Riverdale, Riverview, and Shackelford

month lag period. The estimated fund balance as of June 30, 2011 is \$24,246. Fund balance in the amount of \$2,000 has been set aside to establish an operational reserve. This reserve will be used to offset unexpected costs due to vandalism or theft. An additional \$300 has been added to the budget to further build this operational reserve. The total budget is \$48,900.

Bystrum Landscape and Lighting District (in northwest Ceres): The District provides street lighting to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$48.08 per parcel. This assessment is a decrease of \$7.86 (14%) from the Fiscal Year 2010-2011 assessment of \$55.94. In Fiscal Year 2010-2011 an amount of \$3,456 was added to the balance to levy to ensure adequate funding for the 6-month dry period. Due to the availability of fund balance, the Fiscal Year 2011-2012 assessment adds only \$945 to ensure this funding, resulting in the decrease in the assessment. The estimated fund balance as of June 30, 2011 is \$13,155. The first installment of assessments is received in December; therefore fund balance must be used to cover operating costs from July 1st through December 31st. There are insufficient funds available to cover this dry period; therefore \$945 has been added to the balance to levy in order to rebuild fund balance. This will ensure there are resources available in Budget Year 2012-2013 to cover the 6-month lag period. An amount of \$2,000 has been set aside from fund balance to establish an operational reserve. This reserve will be used to offset unexpected costs associated with vandalism or accidents. The total budget is \$24,200.

Howard/McCracken Landscape and Lighting District (in Westley area; I-5/McCracken Interchange): The District provides maintenance of landscaping and street lighting to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$1,296.59 per parcel the same as the previous year. The amount of \$1,542 has been included in the budget to establish a capital reserve for improved landscaping and I-5 monument signage at the request of the property owners. An operational reserve of \$3,000 was established in Fiscal Year 2010-2011 to offset unexpected vandalism or accident costs. The estimated fund balance as of June 30, 2011 is \$14,021. The first installment of assessments is received in December. In order to fund costs from July 1st to December 31st \$11,021, one half the annual operating budget will be used from available fund balance. The total budget is \$22,042.

Laurel Landscape and Lighting District (in south Ceres area): The District provides street lighting to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$78.16 per parcel. This is an increase of \$0.37 from that of the Fiscal Year 2010-2011 assessment of \$77.79. The estimated fund balance as of June 30, 2011 is \$8,880. An amount of \$2,000 has been used from fund balance to establish an operational reserve. This reserve will be used to offset unexpected costs resulting from vandalism or accidents. The first installment of assessments is received in December. In order to fund costs from July 1st to December 31st \$6,175 one half of the annual operating budget will be used from available fund balance. The total budget is \$12,350.

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Paradise South Landscape and Lighting District (in south Modesto area): The District provides street lighting to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$51.32 per parcel. This is an increase of \$1.19 (2.4%) over the Fiscal Year 2010-2011 assessment of \$50.13. The estimated fund balance as of June 30, 2011 is \$8,906. An amount of \$1,000 has been set aside from fund balance to establish an operational reserve. This reserve will be used to offset unexpected costs resulting from vandalism or accidents. The first installment of assessments is received in December; therefore fund balance must be used to cover operating costs from July 1st through December 31st. There are insufficient funds available to cover this dry period; therefore an amount of \$894 has been added to the balance to levy in order to rebuild fund balance. This will ensure there are resources available in Budget Year 2012-2013 to cover the 6-month lag period. The total budget is \$18,305.

Riverdale Landscape and Lighting District (in Riverdale Park Tract, southwest Modesto): The District provides street lighting to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$62.49. This is an increase of \$4.86 or 8% to the Fiscal Year 2010-2011 assessment of \$57.63. The estimated fund balance as of June 30, 2011 is \$4,127. An amount of \$500 has been set aside from fund balance to establish an operational reserve. This reserve will be used to offset unexpected costs resulting from vandalism or accidents. The first installment of assessments is received in December; therefore fund balance must be used to cover operating costs from July 1st through December 31st. There are insufficient funds available to cover this dry period; therefore an amount of \$1,873 has been added to the balance to levy in order to rebuild fund balance. This will ensure there are resources available in Budget Year 2012-2013 to cover the 6-month lag period. The total budget is \$11,000.

Riverview Landscape and Lighting District (in southwest Modesto area): The District provides street lighting to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$40.42 per parcel, a decrease of \$1.18 (2.8%) from the previous year's assessment of \$41.60. The estimated fund balance as of June 30, 2011 is \$12,648. An amount of \$3,000 has been set aside from fund balance to establish an operational reserve. This reserve will be used to offset unexpected costs resulting from vandalism or accidents. The first installment of assessments is received in December. In order to fund costs from July 1st to December 31st \$6,750, one half the annual operating budget will be used from available fund balance. The total budget is \$13,500.

Shackelford Landscape and Lighting District (in southwest Modesto area): The District provides street lighting to the neighborhood. The assessment for Fiscal Year 2011-2012 is \$49.36 per parcel, a decrease of \$2.72 (5%) from the previous year's assessment of \$52.08. The estimated fund balance as of June 30, 2011 is \$7,418. The first installment of assessments is received in December; therefore fund balance must be used to cover operating costs from July 1st through December 31st. There are insufficient funds available to cover this dry period; therefore an amount of \$3,882 has been added to the balance to levy in order to rebuild fund balance. This will ensure

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there are resources available in Budget Year 2012-2013 to cover the 6-month lag period. The increase in the assessment is primarily due to this addition. An amount of \$1,000 has been set aside from fund balance to establish an operational reserve. This reserve will be used to offset unexpected costs resulting from vandalism or accidents. The total budget is \$20,600.

POLICY ISSUES:

The requested actions are consistent with the Board's priorities of providing A Safe Community, A Healthy Community, and A Well Planned Infrastructure System by ensuring adequate storm drainage and/or lighting to the respective districts.

STAFFING IMPACT:

There is no staffing impact associated with this item.

CONTACT PERSON:

Matt Machado, Public Works Director. Telephone: 209-525-4130.

H:\SERVICES\Districts\CSA's- LLD's-LD's FY2011-2012\Board Items\Public Hearing For Annual Assessments For CSA & LLD's BOS2 - 7.26.11

ATTACHMENTS AVAILABLE
FROM YOUR CLERK

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: July 26, 2011

No. 2011-449

On motion of Supervisor DeMartini 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

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # 9:05 a.m.

**A RESOLUTION ORDERING THE LEVY AND COLLECTION OF CHARGES WITHIN
STANISLAUS COUNTY LIGHTING DISTRICT AS LISTED ON THE ATTACHED
SCHEDULE OF LIGHTING DISTRICT ASSESSMENTS,
hereinafter referred as "Lighting Districts"**

The County of Stanislaus, California does resolve as follows:

WHEREAS, the Lighting Districts have by previous resolutions or other proceedings declared their intent to levy charges or assessments for the purpose of financing street light operation and maintenance under the provisions of the Code Section 19000 et seq. of the Street and Highways Code.

WHEREAS, the charges against the real property are not levied with regard to property values but rather according to the benefit received by the service provided.

WHEREAS, the Lighting Districts have determined and certify that the charges are either exempt from or in compliance with all the provisions of Proposition 218, which was passed by the voters in November 1996. The Lighting Districts have further determined the charges are in compliance with all laws pertaining to the levy of such charges.

NOW, THEREFORE, BE IT RESOLVED that the Lighting Districts so order the levy and collection of such charges within the Stanislaus County Lighting Assessment Districts as listed in the attached Schedule of Lighting District Assessments for the 2011-2012 fiscal year, and that a certified copy of this resolution and attached documentation shall be delivered to the Auditor-Controller of the County of Stanislaus for the placement of such charges on the 2011-2012 County Tax Roll.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California


by Elizabeth A. King, Assistant Clerk

File No.

REVISED

Assessment Schedule

Exhibit A

County Service Area (CSA)	Fund Balance*	Capital Reserve	Budget	6-Month "Dry Period" Funding	Use of Fund Balance	Revenue Required	EBU/Parcels	Budget Year 2011-2012 Assessment	Prior Year Assessment	4-Year Average	% Change from Prior Year
CSA-4	86,154	23,000	10,161	5,080	(5,862)	4,299	137.00	31.3796	31.38	31.38	0.0%
CSA-5	138,671	46,000	10,476	5,238	(3,977)	6,499	201.59	32.24	32.24	32.24	0.0%
CSA-7	57,053	25,000	4,898	2,449	(2,898)	2,000	7.88	253.81	253.81	253.81	0.0%
CSA-8	22,455	0	3,817	1,909	(3,067)	750	24.00	31.24	31.24	31.24	0.0%
CSA-9	57,053	0	7,006	3,503	(5,507)	1,499	74.00	20.26	20.26	20.26	0.0%
CSA-10	281,753	126,000	398,192	199,096	18,183	416,375	2,988.62	139.32	139.32	139.32	0.0%
CSA 10-Landmark with CSA-10			1,500	750	0	1,500	35.43	42.34	42.34	42.34	0.0%
CSA-11	8,202	0	3,000	1,500	(3,000)	0	6.00	0.00	0.00	0.00	0.0%
CSA-12	26,534	0	2,765	1,383	(1,765)	1,000	12.00	83.34	83.34	83.34	0.0%
CSA-16	49,682	29,414	17,186	8,593	0	17,186	30.00	572.86	641.47	626.07	-10.7%
CSA-18	8,858	0	12,671	6,335	(2,250)	10,421	16.00	651.30	626.97	649.83	3.9%
CSA-19 Runyan	10,409	600	2,375	1,187	(1,500)	875	20.00	43.74	42.90	44.41	2.0%
CSA-19 Sterling	158,836	59,400	38,248	19,124	0	38,248	305.00	125.40	168.10	158.42	-25.4%
CSA-20	4,420	0	6,162	3,081	0	6,162	35.96	171.35	177.51	153.97	-3.5%
CSA-21	64,803	6,000	27,979	13,989	(2,500)	25,479	56.00	454.98	401.45	372.58	13.3%
CSA-22	21,871	0	10,744	5,372	(1,600)	9,144	11.00	831.29	842.59	1,003.39	-1.3%
CSA-23	79,353	0	8,602	4,301	(4,000)	4,602	77.00	59.77	60.41	63.49	-1.1%
CSA-24	590	0	9,408	4,704	0	9,408	16.00	587.98	620.23	682.54	-5.2%
CSA-25	4,818	0	10,470	5,235	417	10,887	14.00	777.68	600.38	635.98	29.5%
CSA-26	481,313	188,132	207,389	103,695	(84,082)	123,307	1,076.75	114.52	159.37	137.48	-28.1%
Landscape & Lighting District (LLD)	Fund Balance*	Operational Reserve	Budget	6-Month "Dry Period" Funding	Use of Fund Balance	Revenue Required	EBU/Parcels	Budget Year 2011-2012 Assessment	Prior Year Assessment	4-Year Average	% Change from Prior Year
Bret Harte	24,246	2,000	48,900	24,450	2,204	51,104	1,191.00	42.91	42.82	41.11	0.2%
Bystrom	13,155	2,000	24,200	12,100	945	25,145	523.00	48.08	55.94	50.96	-14.1%
Howard-McCracken	14,021	3,000	22,042	11,021	0	22,042	17.00	1,296.59	1,296.59	1,085.44	0.0%
Laurel	8,880	2,000	12,350	6,175	0	12,350	158.00	78.16	77.79	74.08	0.5%
Paradise South	8,906	1,000	18,305	9,153	1,247	19,552	381.00	51.32	50.13	53.41	2.4%
Riverdale	4,127	500	11,000	5,500	1,873	12,873	206.00	62.49	57.63	53.60	8.4%
Riverview	12,648	3,000	13,500	6,750	0	13,500	334.00	40.42	41.60	42.22	-2.8%
Shackelford	7,418	1,000	20,600	10,300	3,882	24,482	496.00	49.36	52.08	43.26	-5.2%
Del Rio Landscape District	(4,260)	0	3,764	1,882	748	4,512	42.172	106.99	106.99	106.99	0.0%

* Includes Capital/Operational Reserve