

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

DEPT: Public Works *Handwritten signature*

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE November 5, 2013

CEO Concur with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of the Annexation of Gregori High School into the Salida Highway Lighting District

STAFF RECOMMENDATIONS:

1. Find that the territory more particularly described in Exhibit "A" (Legal description and map) is owned by the proponents and that their ownership represents 100% of the total assessed valuation of said territory.
2. Find that the area included in the Legal Description of Gregori High School is located in the unincorporated territory of Stanislaus County and that it is not within the boundary of any other Lighting District.

(Continued on Page 2)

FISCAL IMPACT:

The Gregori High School project has an Traffic Impact Analysis that stipulates that the school should pay for its fair share of the costs and implementation of regionally necessary improvements. Therefore the State Board of Equalization Lighting District Boundary Change fees of \$1,500 will be covered by the school. The first year's operation and maintenance, including the connecting and energizing of the lights, is anticipated to be \$2,000.00, and will be covered by Modesto City Schools. The Public Works Department costs are expected to be minimal and will be absorbed within the Publics Works' budget.

BOARD ACTION AS FOLLOWS:

No. 2013-571

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

and approved by the following vote,

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

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:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

STAFF RECOMMENDATIONS (Continued):

3. Find that Stanislaus County Code, section 20.56.210 (Street Lights), requires the installation of street lights to county standards in areas designated as residential, commercial and industrial on the land use element of the General Plan.
4. Find that, pursuant to Streets and Highways Code section 19056, territory owned by a subdivider/developer that comes under the terms of a county ordinance requiring the installation of a street lighting system (i.e. Stanislaus County Code, section 20.56.210 Streetlights) shall be exempt from Streets and Highway Code requirements for petition, notice, hearing, and election requirements.
5. Find that the annexation will not produce a change in assessment methodology for the Salida Highway Lighting District and that parcels in the new territory shall be subject to that pre-existing methodology.
6. Find that the assessment formula for the Salida Highway Lighting District is sufficient to adequately assess the annexed parcels for the cost of services received, and approve the annexation of Gregori High School into the Salida Highway Lighting District.
7. Declare that all services being provided by the Salida Highway Lighting District will be extended fully to the territory included in Gregori High School annexation and that said services shall commence within the 2013-2014 Fiscal Year.
8. Order that Assessor Parcel Number (APN) 003-018-005 shall be added to the Fiscal Year 2014-2015 annual assessments.
9. Direct the Department of Public Works to forward a certified copy of the resolution ordering the annexation, and all other required documents, along with the processing fee to the State Board of Equalization.
10. Direct the Clerk of the Board to send a certified copy of the resolution ordering the annexation to the following offices: the Department of Public Works, Assessor, Elections, Auditor-Controller, and the Clerk Recorder.

DISCUSSION:

The area proposed for annexation into the Salida Highway Lighting District is known as Gregori High School. It is located on the east side of Stoddard Road, on the north side of Pirrone Road and west of Dale Road in the Salida area. The APN is 003-018-005 and it is approximately 79.58 acres. Attachment "A" illustrates the proposed boundary and includes its legal description.

Approval of the Annexation of Gregori High School into the Salida Highway Lighting District

This annexation is in compliance with the Health and Safety Impacts of the Gregori High School Environmental Impact Report (EIR). The 4 streetlights on Stoddard and 3 of the streetlights on Pirrone Road were not energized prior to the school's agreement to join the Salida Highway Lighting District. The annual assessment revenue will ensure that the streetlights remain functional.

If this annexation is approved, the public school lot will become part of the Salida Highway Lighting District and will be assessed using the existing formulas and methodology approved by the district's property owners on July 22, 2003. Assessments will commence with the 2014-2015 Fiscal Year. The existing formulas and methodology are as follows:

$$\begin{aligned} \text{Annual Assessment} &= (\text{Estimated Operation \& Maintenance Costs for Current Year}) \\ &+ (\text{Estimated Dry Period Reserve for Next Year}) - (\text{Fund Balance from Previous Year}) \\ &\quad / \text{Number of Benefiting Parcels} \end{aligned}$$

This formula and methodology have been found to be sufficient to cover ongoing operational and maintenance costs for this district.

The services to be extended in the Salida Highway Lighting District to Gregori High School annexation will be the same as those extended to all other parcels within the district and include the following:

- Lighting District administration;
- Street-lighting - electric supplied by Modesto Irrigation District, and
- Routine streetlight maintenance - bulb, lens, sensor replacement, etc.

Stanislaus County Public Works Department will perform all routine maintenance activities. Ongoing annual maintenance and operating costs are funded entirely through the district's proposed assessments.

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 priority of providing A Safe Community and A Well Planned Infrastructure System by initiating the formal process to annex into the Salida Highway Lighting District, thereby allowing the developer to comply with County Street-lighting Standards for their project.

STAFFING IMPACT:

Staffing impact is limited to the time required to prepare this agenda item and coordinate the project with the Modesto Irrigation District to energize the lights.

Approval of the Annexation of Gregori High School into the Salida Highway Lighting District

CONTACT PERSON:

Diane Haugh, Assistant Director of Public Works. Telephone: (209) 525-4100.
Sharon Andrews, Accounting Technician. Telephone: (209) 525-4181.

SA:lc

H:\SERVICES\Districts\LD\LD Salida\Gregori High School Annexation\Gregori HS Annexation To Salida LD

RECORDING REQUESTED BY
CHICAGO TITLE COMPANY
AND WHEN RECORDED MAIL TO

Modesto City Schools
426 Locust Street
Modesto, California 95351-2699



Stanislaus, County Recorder
Lee Lundrigan Co Recorder Office
DOC- 2005-0043335-00

Acct 501-Chicago Title
Wednesday, MAR 16, 2005 08:00:00
Ttl Pd \$0.00 Nbr-0001728361
BJM/R3/1-2

ESCROW No. 1738910 - KH
Order No. 1738910 - 273

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

Assessor's Parcel No:
003-18-05

THE UNDERSIGNED GRANTOR(S) DECLARE(S)
DOCUMENTARY TRANSFER TAX IS \$ TRANSFER TAX NOT SHOWN PURSUANT TO SECTION 11934 OF

unincorporated area City of REVENUE AND TAXATION CODE

computed on the full value of the interest or property conveyed, or is

computed on the full value less the value of liens or encumbrances remaining at time of sale, and

**SURVEY MONUMENT FEE
\$10.00**

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Van Kay, Inc., a California corporation

hereby GRANT(S) to

Modesto High School District, a school district

the following described real property in the unincorporated area of the
County of Stanislaus, State of California:

The South half of the Northwest quarter of Section 35, Township 2 South, Range 8 East,
Mount Diablo Base and Meridian.

Dated March 9, 2005

Van Kay, Inc.,
a California corporation

STATE OF California
COUNTY OF Stanislaus

On March 11, 2005 before me,

By:
Derk Van Konynenburg, President

Sue Raggio
a Notary Public in and for said County and State, personally appeared
Derk Van Konynenburg

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Signature of Notary

10-13-07
Date My Commission Expires

FOR NOTARY SEAL OR STAMP

MAIL TAX STATEMENTS TO PARTY SHOWN ON FOLLOWING LINE: IF NO PARTY SO SHOWN, MAIL AS DIRECTED ABOVE

Name Street Ac

Name of Notary: Sue Raggio
Telephone Number: 209-571-6300
County / State: Stanislaus / California
Commission No.: 1445355 Exp. Date: Oct. 10, 2007

Chicago Title Company

2/30

N 1/2 SEC. 35 T.2S. R.8E. M.D.B.& M.

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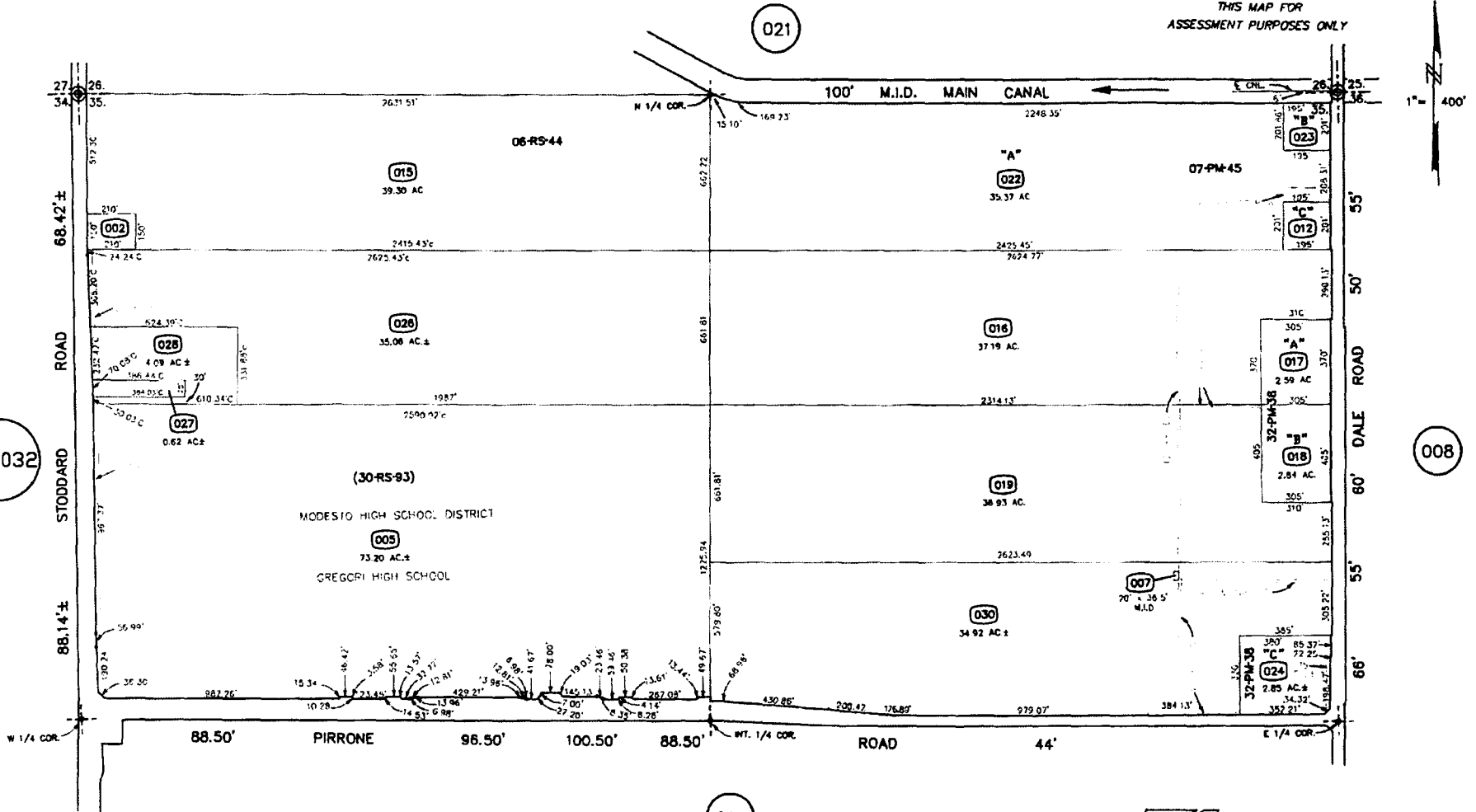
003 - 018

THIS MAP FOR
ASSESSMENT PURPOSES ONLY

EXHIBIT "A"

136-032

008



FROM: 3-06
DRAWN: 5-9-89
REVISED: 3-1-82, 4-29-03 DH, 5-22-08 DH, 12-15-09 MF, 01-11-11 MB, 04-21-11 MB, 03-13-12 MB

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