



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: February 24, 2009

Subject: HEARING to adopt Resolution No. 2009/55 accepting tabulation of mail-in ballots for Minor Subdivision 06-0016

### **RECOMMENDATION(S):**

HEARING to adopt Resolution No. 2009/55 accepting tabulation of mail-in ballots, confirming the Engineer's Report and authorizing the levy of street light charges to operate and maintain facilities and services for Minor Subdivision 06-0016.

### **FISCAL IMPACT:**

There is no impact to the County General Fund. All cost will be covered with revenue from County Service Area (CSA) L-100 (100%).

### **BACKGROUND:**

CSA L-100 was formed pursuant to the County Service Area Law to ensure the proper flow of funds for the ongoing operation, maintenance and servicing of street lighting in the public right-of-way throughout unincorporated Contra Costa County. Each year thereafter an annual Engineer's Report has been prepared and approved, an annual assessment has been levied on the parcels within CSA L-100, and as a condition of approval as properties develop, they have been required to annex into CSA L-100.

In order to annex property into CSA L-100, property owners must vote to approve the

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/24/2009** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

#### **VOTE OF SUPERVISORS**

AYE: John Gioia, District I  
Supervisor  
Gayle B. Uilkema, District II  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Susan A. Bonilla, District IV  
Supervisor  
Federal D. Glover, District V  
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: February 24, 2009

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Katherine Sinclair, Deputy

Contact: Michelle Parella,  
313-2286

cc:

annexation. Article

### BACKGROUND: (CONT'D)

XIIID of the California Constitution (Proposition 218) provides that any new assessment may not be approved if it is opposed by a majority of the property owners voting on the proposed assessment. The Board Order and Resolution comply with the requirements for new assessments under Proposition 218.

### CONSEQUENCE OF NEGATIVE ACTION:

Without Board of Supervisors' approval, this project will not be in compliance with the Conditions of Approval for Minor Subdivision 06-0016 and an alternative means to finance street lighting within the public right of way would have to be found.

### CLERK'S ADDENDUM

CLOSED the hearing; ADOPTED Resolution No. 2009/55 accepting tabulation of mail-in ballots, confirming the Engineer's Report and authorizing the levy of street light charges to operate and maintain facilities and services for Minor Subdivision 06-0016.

### ATTACHMENTS

Ballot

Resolution No. 2009/55

Proposed Annexation MS 06-0016