

12.0 COUNTY LIGHTING SERVICE AREA

Lighting services that are provided by the District are evaluated within this service review.

12.1 LOCATION, ADMINISTRATION, AND OPERATIONS

The County Lighting Service Area was created in 1964 pursuant to Government Code 25210.1 et seq. to provide street lights to the unincorporated areas of Santa Clara County. Currently, the Service Area provides lighting to multiple small developed unincorporated areas that are scattered throughout the County. The Service Area is governed by the Board of Supervisors and administered by the County Roads and Airport Department. The Board of Supervisors meets most Tuesdays at 9:30 a.m. When the Service Area has public matters to be heard at the meetings, the Chair announces that they are sitting as the County Board of Supervisors and the governing board for the various special districts in the County. Meeting agendas are posted on the County's website and outside of the County Board Chambers. If special noticing is required, a local newspaper is also utilized.

The Service Area includes 1,627 residential lights and 153 commercial lights, all of which are serviced by PG&E. Most of the lights are also owned by PG&E. In order to receive lighting from the Service Area, property owners must petition LAFCO to annex to the Service Area.

Because the County Lighting Service Area consists of noncontiguous unincorporated County areas that receive different levels of lighting services, affected property owners requested that the County establish benefit zones to ensure that assessments are levied accurately. Hence, 12 Benefit Zones were approved by the Board of Supervisors. A 13th zone was established (Benefit Zone 2); however, the assessments were not approved by the landowners and services are not being provided.

Within each benefit zone, three separate and distinct levels of service have been created. Level of Service No. 1 includes all parcels that receive special benefit from intersection and cul-de-sac street lighting only. Level of Service No. 2 includes all parcels that receive special benefit from intersection, cul-de-sac, and mid-block (street light spaced approximately 300 to 500 feet apart along a street) street lighting. Level of Service No. 3 includes all parcels that receive special benefit from intersection, cul-de-sac, mid-block, and mid-mid block (street light spaced less than 300 feet apart along a street) street lighting. A special fund has been set up for the revenues and expenditures for each benefit zone within the County Lighting Service Area Assessment. The number of street lights associated with each level of service for each benefit zone is listed in Table 12.A.

Table 12.A: Number of Street Lights per Benefit Zone

Benefit Zone	Level 1 Lights		Level 2 Lights		Level 3 Lights		Total
	Residential	Commercial	Residential	Commercial	Residential	Commercial	
Zone 1	22	1	14	1	0	0	38
Zone 2	0	0	0	0	0	0	0
Zone 3	30	2	26	2	0	0	60
Zone 4	56	2	119	3	0	0	180
Zone 5	45	9	88	16	0	0	158
Zone 6	39	9	85	21	0	0	154
Zone 7	13	1	43	3	0	0	60
Zone 8	128	4	326	11	0	0	469
Zone 9	78	0	160	0	0	0	238
Zone 10	19	0	59	0	0	0	78
Zone 11	48	18	57	20	74	26	243
Zone 12	24	1	52	3	0	0	80
Zone 13	2	0	6	0	14	0	22
Total	504	47	1,035	80	88	26	1,780

Source: Final Assessment Report for Santa Clara County Lighting Service Area Assessment FY 2005–2006.

The Service Area is funded by user assessments that are included in property tax bills. Assessments are based upon a formula established by County ordinance. The formula establishes assessments to individual parcels based upon their varying land use, parcel size, and degree of street light illumination. This information is translated into a Benefit Unit structure. The costs of providing each level of service within each Benefit Zone is calculated and then divided by the number of Benefit Units within each zone to come up with the assessment rate per Benefit Unit. Assessment rates for FY 2005–2006 are listed in Table 12.B.

Table 12.B: Assessment Rates for Lighting Services

Benefit Zone	Level 1 Assessment Rate per Benefit Unit	Level 2 Assessment Rate per Benefit Unit	Level 3 Assessment Rate per Benefit Unit
Zone 1	\$11.12	\$34.15	N/A
Zone 2	N/A	N/A	N/A
Zone 3	\$25.95	\$63.12	N/A
Zone 4	\$9.58	\$30.27	N/A
Zone 5	\$9.22	\$28.62	N/A
Zone 6	\$7.83	\$25.67	N/A
Zone 7	\$11.26	\$56.03	N/A
Zone 8	\$6.82	\$24.48	N/A
Zone 9	\$7.25	\$22.09	N/A
Zone 10	\$8.60	\$26.73	N/A
Zone 11	\$8.33	\$18.87	\$33.85
Zone 12	\$4.45	\$15.01	N/A
Zone 13	\$0.59	\$2.39	\$6.59

Source: Final Assessment Report for Santa Clara County Lighting Service Area Assessment FY 2005–2006.

In order to comply with Proposition 218, any future increases in assessments (except for the current authorized annual increases based upon the annual increase in the Consumer Price Index) need to be approved by property owners prior to adoption by the Board of Supervisors. The opportunities for rate restructuring are limited due to the requirements of Proposition 218.

The County ordinance also requires the preparation of an Assessment Report for each subsequent fiscal year. The Report is required to contain a description of each parcel receiving street lighting service and the amount of assessment for each parcel.

Current County development policies discourage intensive land uses in the unincorporated areas. Hence, much of the development in the unincorporated County is rural residential in nature and incompatible with the urbanized ambiance created by street lights. The unincorporated areas within the Service Area are predominately built out. In addition, it has been the long-term goal of LAFCO and the County that unincorporated pockets and new areas of urban development should be annexed into cities. Hence, if additional urbanization would occur in the Service Area, the newly urban area would generally be annexed into a city and detached from the Lighting Service Area. Therefore, the future need for more lighting services by the Lighting Service Area is expected to be low.

12.2 SERVICE REVIEW DETERMINATIONS FOR THE COUNTY LIGHTING SERVICE AREA

The Service Review guidelines prepared by the State Office of Planning and Research recommend that issues relevant to the jurisdiction be addressed through written determinations called for in the CKH Act. Based on the above information, following are the written determinations for the District.

Infrastructure Needs and Deficiencies

1. Property owners decide, through petition, the level of lighting services that is desired within each specific community. No infrastructure needs or deficiencies have been identified.

Growth and Population

1. Based upon ABAG projections, the County is expected to experience a moderate growth rate of 1.19 percent annually through 2025. However, County development policies provide that if areas within the Service Area were further developed with urban land uses, the areas would generally be annexed into a city and removed from the Lighting Service Area. Therefore, minimal growth resulting from limited infill development or redevelopment can be expected.

Financing Constraints and Opportunities

1. The Service Area only receives revenue from assessments. Property owners decide the level of service that is desired, and with that decision they determine the amount of assessment that would be levied. No financing constraints have been identified.

2. Due to the requirements of Proposition 218, future increases in assessments need to be approved by property owners prior to adoption by the Board of Supervisors. Therefore, financing opportunities are limited.

Cost-Avoidance Opportunities

1. The Service Area is governed by the County Board of Supervisors and services are provided by PG&E through a contract.

Opportunities for Rate Restructuring

1. Due to the requirements of Proposition 218, any increase in assessments needs to be approved by property owners prior to adoption by the Board of Supervisors. Therefore, opportunities for rate restructuring are limited.

Opportunities for Shared Facilities

1. The Service Area does not have buildings or equipment, and most of the lights are owned by PG&E. Therefore, no opportunities for shared facilities have been identified.

Government Structure Options

1. The Lighting Service Area is governed by the County Board of Supervisors. This is an effective and efficient structure for the District.
2. Because the Lighting Service Area serves many unincorporated pocket areas and County and LAFCO policies direct unincorporated pockets to annex into cities and new urbanization of lands to occur in cities' service areas, the Lighting Service Area is expected to shrink in size. However, some of the areas currently being served by the Lighting Service Area are not within Urban Service Areas. These areas are expected to remain part of the Lighting Service Area.

Evaluation of Management Efficiencies

1. The Service Area does not have employees of its own, and it contracts for services with PG&E. This is an efficient management structure, as the District does not need to pay for the cost of employees and only pays for the services that are rendered.
2. The overall management of lighting services would appear to be more efficient if the unincorporated pocket areas were annexed into cities.

Local Accountability and Governance

1. The County Board of Supervisors is the governing body for the Lighting Service Area. Meeting agendas are posted on the County's website and outside of the County Board Chambers along with the Board's other agenda items.

12.3 SOI RECOMMENDATION FOR THE COUNTY LIGHTING SERVICE AREA

Current SOI Boundary

The County Lighting Service Area consists of noncontiguous unincorporated County areas that are scattered throughout the County. LAFCO adopted the existing zero SOI for the County Lighting Service Area in 1982. This was done to recognize that Lighting Service Area lands within cities' USAs should annex to cities and lands outside USAs should not receive urban types of services.

SOI Recommendation

LAFCO and County policies regarding urbanization and provision of urban services have remained the same since adoption of the existing SOI. Hence, County Lighting Service Area lands within cities' USAs should continue to annex to cities and receive City services. However, it is possible that additional lands outside of cities' USAs may be annexed into the County Lighting Service Area. To provide for possible future annexations, it is recommended that LAFCO update the existing zero SOI to be coterminous with the existing boundaries of the County Lighting Service Area.

12.4 SOI DETERMINATIONS FOR THE COUNTY LIGHTING SERVICE AREA

As detailed in Section 1.1.2, Government Code section 56425 requires written determinations with respect to the following four factors to update an agency's SOI. Based upon the information above, the following determinations are provided to update the existing County Lighting Service Area's SOI.

1. The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands

The Lighting Service Area consists of multiple noncontiguous unincorporated areas that are scattered throughout the County. The areas that receive services are developed with a range of urban land uses that require (or desire) lighting services. County development policies provide that if an intensification of land uses were to occur, the area would generally be annexed into a city and removed from the County Lighting Service Area.

Finding: Planned land uses throughout the Service Area are similar to that of the existing uses.

2. The Present and Probable Need for Public Facilities and Services in the Area

The County is expected to experience a moderate growth rate of 1.19 percent annually through 2025. However, only minimal growth resulting from limited infill development or redevelopment can be expected within the County Lighting Service Area because if an overall intensification of land uses were to occur, the areas would generally be annexed into a city and removed from the Lighting Service Area.

Finding: The need for additional lighting services within the Service Area is expected to be low in the future.

3. The Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide

Finding: The present capacity of services provided by the Lighting Service Area appears to be adequate.

4. The Existence of Any Social or Economic Communities of Interest in the Area if the Commission Determines That They Are Relevant to the Agency

The Lighting Service Area consists of multiple noncontiguous unincorporated areas that are scattered throughout the County. Property owners from all urban developed areas can petition LAFCO to annex to the Service Area. Hence, all lands within the County that have existing urban development could be considered a community of interest. In addition, LAFCO and the County have policies stating that unincorporated islands should be annexed to cities. Due to the island annexation policies, any cities that are adjacent to or surrounding the Lighting Service areas would be considered an economic and social community of interest.

Finding: All lands within the County that have existing urban development could be considered a community of interest. Additionally, any cities that are adjacent to or surrounding the Lighting Service areas would be considered an economic and social community of interest.