

**MEMORANDUM  
LOCAL AGENCY FORMATION COMMISSION**

**TO:** Local Agency Formation Commission  
**FROM:** Shannon Costa, Deputy Executive Officer  
**SUBJECT:** 2022/23 Grand Jury Report Draft Response – Special Districts  
**DATE:** August 29, 2023, for the meeting of September 7, 2023 meeting

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**Summary**

On May 23, 2023, the 2022-2023 Butte County Civil Grand Jury submit its final report to the Butte County Superior Court in accordance with California Penal Code 933.05. The report contained two topics for which a response by LAFCo was invited:

Special Districts Drainage – When it Rains, it Pours!

The report examines special districts providing drainage and reclamation services in southern Butte County. Findings, recommendations, and draft responses are provided in **Attachment 1** of this report.

Special Districts Lighting – Who Pays for Street Lighting?

The report examines County Service Areas providing funding mechanisms for the provision of street lighting in unincorporated areas of Butte County. Findings, recommendations, and draft responses are provided in **Attachment 2** of this report.

**Action Requested:** Review, consider, modify as needed, and approve the responses for submittal to the Court.

Attachment: A. Draft Butte LAFCO Response Letter - Special Districts Drainage – When it Rains, it Pours!  
B. Draft Butte LAFCO Response Letter - Special Districts Lighting – Who Pays for Street Lighting?



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## BUTTE LOCAL AGENCY FORMATION COMMISSION

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August 29, 2023

Hon. Corie J. Caraway, Judge of the Superior Court  
c/o Court Administration  
Superior Court of California, County of Butte  
One Court Street, Oroville, CA 95965

Re: 2022/23 Butte County Grand Jury Final Report: Drainage – When it rains, it pours!

Honorable Judge Caraway,

Pursuant to Penal Code Sections 933 and 933.05, the Butte Local Agency Formation Commission (LAFCO) has reviewed the 2022/23 Butte County Grand Jury Final Report regarding special districts drainage and submits the following responses to the Grand Jury's Recommendations (R).

**R3:** *LAFCO should update and maintain current contact information for the drainage districts they list on their website by January 15, 2024.*

**Response:** *Respondent disagrees partially with finding.* Contact information for special districts is provided on the Butte LAFCo website as a courtesy to the public. Independent special districts are required, as of 2018, to create and maintain a website that contact information. Compliance with this requirement is assessed as part of the Municipal Service Review process. Contact information provided on the LAFCo website is updated to the best of staff's knowledge and ability.

**R4:** *LAFCo should update and maintain current contact information for the drainage districts they list on their website by January 15, 2024.*

**Response:** *Respondent disagrees partially with finding.* Contact information for special districts is provided on the Butte LAFCo website as a courtesy to the public. Independent special districts are required, as of 2018, to create and maintain a website that contact information. Compliance with this requirement is assessed as part of the Municipal Service Review process. Contact information provided on the LAFCo website is updated to the best of staff's knowledge and ability.

**R5:** *The Butte Creek Drainage District Governing Board or Butte County Board of Supervisors should initiate dissolution of Butte Creek Drainage District, with Drainage District 100 being the successor agency by January 15, 2024.*

**Response:** *Respondent disagrees wholly with finding.* The potential for reorganization of drainage districts serving western Butte County is discussed in the Municipal Service Review for Irrigation, Drainage, and Reclamation adopted by the Commission in April 2007. The MSR discussed the duplication of services provided by Drainage District #2, which overlapped with portions of Butte Creek Drainage District. Further, portions of Butte Creek Drainage District overlay Drainage District #100. Determinations in the MSR included:

*6-1 Because Drainage District No. 2 is located entirely within Butte Creek Drainage District's boundaries and they provide the same services, consolidation of the two Districts may provide a more efficient and cost-effective management of the drainage resources between the two districts.*

*6-2 The overlap of district boundaries between Butte Creek Drainage District and Drainage District No. 100 should be reorganized such that there is no duplication of services in the same location.*

As of March 2023, the dissolution of Drainage District #2 has been completed by Butte LAFCo. Staff will pursue the detachment of portions of Butte Creek Drainage District lands from Drainage District #100 in the near future.

Respectfully Submitted,

*Bill Connelly*

Bill Connelly  
Commission Chair

Exhibits: i. Grand Jury Letter dated June 22, 2023



# SUPERIOR COURT OF CALIFORNIA COUNTY OF BUTTE

Butte County Courthouse  
One Court Street  
Oroville, CA 95965  
(530) 532-7002

North Butte County Courthouse  
1775 Concord Avenue  
Chico, CA 95928  
(530) 532-7002

June 22, 2023

Mr. Stephen Lucas  
Executive Director  
Butte Local Agency Formation Commission  
1453 Dawner Street, Suite C  
Oroville, CA 95965

Dear Mr. Lucas:

The Final Report of the 2022-2023 Butte County Grand Jury was filed on June 16, 2023 and will be released to the public at the Impanelment on June 29, 2023.

Per Penal Code §933.05(f): "A grand jury shall provide to the affected agency a copy of the portion of the grand jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report."

As an affected person or entity named in the Final Report, please find enclosed a copy of the relevant sections of the report. **This information remains confidential until the public release of the report in its entirety on Thursday, June 29, 2023.**

The complete report will be posted to the Butte County website for viewing after it is released to the public.

Please note that all agencies listed as *Required Respondents* must adhere to the requirements of Penal Code §933/933.05.

Please direct responses to:

**Hon. Corie J. Caraway, Judge of the Superior Court  
c/o Administrative Services  
Superior Court of California, County of Butte  
One Court Street, Oroville, CA 95965**

Sincerely,

Kim Dionne  
Administrative Specialist  
Superior Court of California, County of Butte

Enc.

Exhibit i

# 2022-2023 BUTTE COUNTY GRAND JURY

May 1, 2023

## Drainage – When it rains, it pours!

Special Districts Drainage

### SUMMARY

Management of drainage water is important to Butte County. There are 6 drainage and reclamation districts in southern Butte County. The Butte County Grand Jury (BCGJ) conducted research and analysis of the revenue, expenses, and benefits of these districts. The BCGJ learned most of the costs to these districts are administrative in nature. This research was impeded by a lack of publicly accessible documents and district contact information. Some districts had board members who were highly organized and easily accessible while others were nearly impossible to meet with. The BCGJ believes it will be more efficient to merge some of these districts to provide better services at reduced costs to the community.

### GLOSSARY

<b>BCGJ</b>	Butte County Grand Jury
<b>GIS</b>	Geographic Information System
<b>LAFCO</b>	Local Agency Formation Commission
<b>MSR</b>	Municipal Service Reviews

## **BACKGROUND**

As part of the BCGJ's review of past Grand Jury Reports, they found that drainage and reclamation districts had not been investigated in the past 20 years. As the County was in a state of drought at the time of this report, the BCGJ was concerned about what maintenance was being carried out prior to the rainy season. Butte County now has 8 drainage and reclamation districts, many of which were created over 100 years ago, 6 of which are found in southern Butte County and serve agriculture.

### ***Reclamation Districts***

Reclamation is one of the first forms of public improvement in California, with the early focus on reclaiming "swamp and overflowed" lands granted to the state under the Federal 1850 Arkansas Act. The term reclamation primarily encompasses flood control and drainage but has also long been held to include irrigation.

### ***Drainage Districts***

A drainage district consists of a group of people who work together to improve the drainage in their area. They are allowed to collect money from people who live in the area to pay for improvements. This can help make the land better for farming and building. The district is created by a vote or petition from the people who live there. If the district takes away someone's property or causes damage, they have to pay for it. Drainage districts can help improve the agricultural capacity of drained lands and provide new land for buildings and other improvements.

Section §56040 of the California Water Code - The objects and purposes of a county drainage district shall be to provide for:

- The protection from damage by storm or waste waters of private property and of public highways other public property within said district.
- The conservation of storm and waste waters for beneficial and useful purposes by spreading, storing, retaining, or causing such waters, or any part thereof, to percolate into the soil within or without said district or the saving and conservation in any manner of any and all of such waters.

## **METHODOLOGY**

The BCGJ visited multiple drainage and reclamation districts and communicated with representatives of those districts. The BCGJ acquired financial documents from those districts and the Butte County

Auditor-Controller's office. The BCGJ interviewed staff from the Butte Local Agency Formation Commission (LAFCO) and studied their most recent Municipal Service Reviews (MSR) regarding drainage and reclamation districts. The BCGJ utilized the Butte County Geographic Information System (GIS) interactive maps.

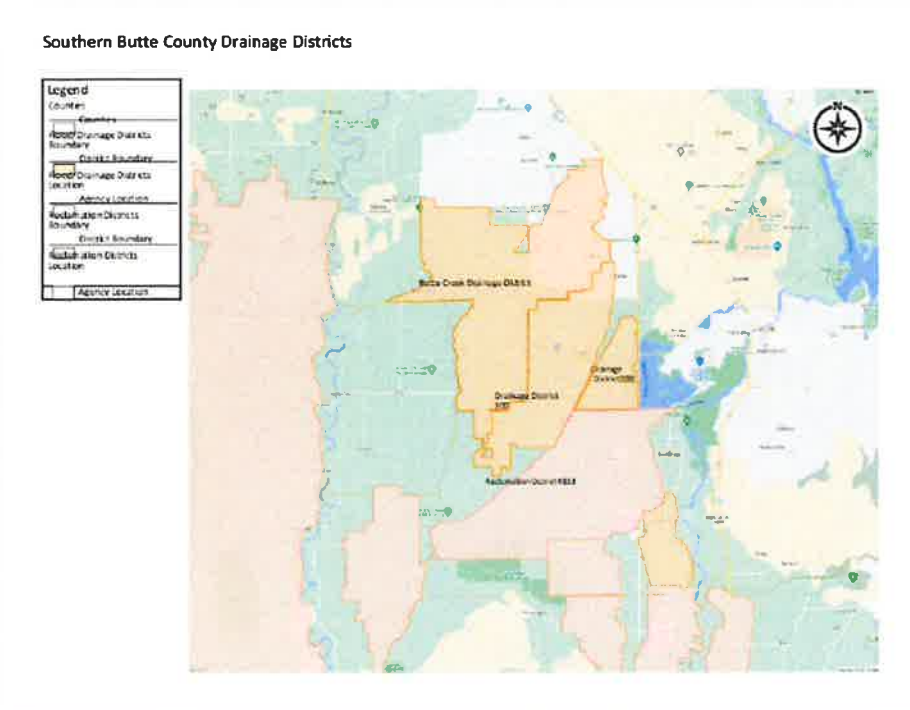
## **DISCUSSION**

The BCGJ found it exceedingly difficult to find current contact information for the board members of several drainage districts. Last year's Butte County Grand Jury also identified this issue. There is a link to Special Districts on the updated County website, but as of the date our report was issued, there was no information showing anything other than just the Title 'Special Districts.'

The BCGJ visited with staff from several of the districts located in southern Butte County and reviewed provided financial reports. All districts have administrative expenses, such as meeting compensation, professional liability insurance and legal fees for the governing board, as well as operational expenses, including maintenance. Any unspent revenue is added to the district's general fund for possible future use. Some administrative expenses are common across each district. The BCGJ learned that 2 drainage districts have not done any maintenance in the past 2 years but still collect funds to cover administrative costs. These districts do not provide any useful benefit to the community.

Combining districts could lessen administrative expenses rather than letting each district stand alone. Also, a combined district would be better equipped and staffed to maintain and even handle preventative maintenance.

The following map shows southern Butte County, with candidates for combination labeled:



The BCGJ believes that Drainage District #200 and Butte Creek Drainage District could be combined with Drainage District #100, due to their proximity to each other. Drainage District #100 also has employed staff to maintain drainage systems in their district.

The BCGJ also learned that some districts have had difficulty filling their governing boards. Volunteers govern many districts, with little or no competition for board membership. Combining districts could potentially increase competition for governing board membership.

The BCGJ was impressed by the dedication of the staff of Reclamation District 833. They go above and beyond their normal duties. They are proactive and seek out preventative maintenance instead of just reacting to problems after they have occurred.

## FINDINGS

F1. Two drainage districts do not have publicly available or current contact information.

F2. All these districts have similar expenses that could be shared.



- F3. A few drainage districts have administrative costs that outweigh the benefit to the community.
- F4. Many of these districts have difficulty finding candidates for their governing boards.
- F5. Reclamation District 833 has done an outstanding job being proactive in their district.

## RECOMMENDATIONS

- R1. The Drainage District 100 Governing Board should update their contact information for public access by January 15, 2024.
- R2. The Butte Creek Drainage District Governing Board should update their contact information for public access by January 15, 2024.
- R3. LAFCO should update and maintain current contact information for the drainage districts they list on their website by January 15, 2024
- R4. LAFCO should update and maintain current contact information for the drainage districts they list on their website by January 15, 2024
- R5. The Butte Creek Drainage District Governing Board or Butte County Board of Supervisors should initiate the dissolution of Butte Creek Drainage District, with Drainage District 100 being the successor agency by January 15, 2024.
- R6. The Drainage District 200 Governing Board or Butte County Board of Supervisors should initiate the dissolution of Drainage District 200, with Drainage District 100 being the successor agency by January 15, 2024.

## REQUIRED RESPONSES

The following responses are required pursuant to Penal Code § 933 and 933.05:

From the following governing bodies within 90 days:

- Drainage District #100 – F1, R1, R4, R5
- Butte Creek Drainage District – F1, F2, F3, F4, R2, R4
- LAFCO – R3
- Drainage District #200 – F2, F3, F4, R5

- Butte County Board of Supervisors - R4, R5

## INVITED RESPONSES

The Grand Jury invites the following responses:

- LAFCO – R4, R5

Responses are to be submitted to the presiding judge of the Butte County Superior Court in accordance with the provisions of Penal Code § 933.05. Responses must include information required by §933.05.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code § 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury

## WEBSITES

[www.buttecounty.net](http://www.buttecounty.net)

<https://www.buttecounty.net/506/Geographical-Information-Systems-GIS>

[www.buttelafco.org/resources](http://www.buttelafco.org/resources)

<https://www.buttelafco.org/drainage-district-100>

<https://www.buttelafco.org/drainage-district-200>

<https://www.buttelafco.org/butte-creek-drainage-district>

<https://www.buttelafco.org/reclamation-district-833>

<https://www.balmd.org/reclamation-levee-maintenance-district.html>

<https://www.lsd.law/define/drainage-district>



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## BUTTE LOCAL AGENCY FORMATION COMMISSION

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August 29, 2023

Hon. Corie J. Caraway, Judge of the Superior Court  
c/o Court Administration  
Superior Court of California, County of Butte  
One Court Street, Oroville, CA 95965

Re: 2022/23 Butte County Grand Jury Final Report: Who Pays for Street Lighting?

Honorable Judge Caraway,

Pursuant to Penal Code Sections 933 and 933.05, the Butte Local Agency Formation Commission (LAFCO) has reviewed the 2022/23 Butte County Grand Jury Final Report regarding special districts lighting and submits the following responses to the Grand Jury's Findings (F) and Recommendations (R).

*F1: Butte County has too many County Service Areas (39) providing street lighting maintenance, which have high overhead costs compared to the benefit they provide.*

*Response: Respondent agrees with finding.* The vast majority of the CSAs in Butte County provide street lighting services. Quantifying the benefit that street lighting provides is difficult, as many rural residents enjoy the increased safety that streetlights provide. LAFCO supports the concept of consolidating CSAs that provide similar services; this concept was discussed, among other things, in the County Service Areas Municipal Service Reviews and Sphere of Influence Plan, adopted by the Commission in October 2016.

*R1: The Board of Supervisors should adopt a plan to form a single district for street lighting maintenance by March 31, 2024.*

*Response: Respondent disagrees partially with finding.* Management of CSAs is discussed thoroughly in the County Service Areas Municipal Service Reviews and Sphere of Influence Plan, adopted by the Commission in October 2016. Determinations found that the County should review the existing governance structure of CSAs, pursue consolidation of CSAs providing similar services, as well as utilize CSAs on a county-wide basis to address public desires for improved or expanded services. A plan adopted by the Board of Supervisors that would result in a single district for street lighting maintenance should include a detailed budget analysis and plan for service. Implementation of the plan would require consideration and approval by Butte LAFCO.

Respectfully Submitted,

*Bill Connelly*

Bill Connelly  
Commission Chair

Exhibits: i. Grand Jury Letter dated June 22, 2023



# SUPERIOR COURT OF CALIFORNIA COUNTY OF BUTTE

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June 22, 2023

LAFCO  
1453 Downer Street, Suite C  
Oroville, CA 95965

Dear LAFCO:

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The complete report will be posted to the Butte County website for viewing after it is released to the public.

Please note that all agencies listed as *Required Respondents* must adhere to the requirements of Penal Code §933/933.05.

Please direct responses to: **Hon. Corie J. Caraway, Judge of the Superior Court**  
**c/o Administrative Services**  
**Superior Court of California, County of Butte**  
**One Court Street, Oroville, CA 95965**

Sincerely,

Kim Dionne  
Administrative Specialist  
Superior Court of California, County of Butte

Enc.

# 2022-2023 Butte County Grand Jury

May 1, 2023

## Who Pays for Street Lighting?

Special Districts Lighting

### SUMMARY

The 2022-2023 Butte County Grand Jury (BCGJ) investigated street lighting within the unincorporated territory of Butte County (BC), which is maintained using special districts called County Service Areas (CSAs). The County's Board of Supervisors acts as the governing board for each CSA (independently of the County government), and County staff administer each CSA. Revenues to fund these districts comes mainly from property taxes and direct assessments of the properties that benefit from street lighting. The BCGJ found while much of the expenses of street lighting are energy costs, there are significant administrative expenses, sometimes exceeding the energy costs, which is a result of using County Service Areas to provide this benefit. CSAs require separate budgets, operational funds, financial reporting, and approvals for boundary changes.

The BCGJ believes that using multiple County Service Areas is an inefficient approach to provide this benefit, and that the County should form a single special district to provide street lighting benefits for all the unincorporated territory of the County. In the process of BCGJ's investigation, additional findings were identified with recommendations to correct them.

### GLOSSARY

<b>BC</b>	Butte County
<b>BCGJ</b>	Butte County Grand Jury
<b>Butte LAFCO</b>	Butte Local Agency Formation Commission
<b>CSA</b>	County Service Area
<b>CSA Law</b>	County Service Area Law

<b>HPSV</b>	High Pressure Sodium Vapor
<b>LED</b>	Light-emitting Diode
<b>LLAD</b>	Landscaping and Lighting District
<b>PG&amp;E</b>	Pacific Gas & Electric Company
<b>Public Works</b>	Butte County Department of Public Works

## **BACKGROUND**

As part of its oversight of special districts within BC, the BCGJ learned that most CSAs provide street lighting benefits to residents in the County’s unincorporated territory and wished to learn more about this topic.

Street lighting is a common public improvement that provides several benefits:

- Neighborhood enhancement
- Increased nighttime visibility for motorists and pedestrians
- Reduced risk of robbery, burglary, vandalism, and other criminal activity

Streetlights are most often associated with cities and towns, but they also benefit rural communities. Over 450 streetlights have been installed in the unincorporated territory of the County. Streetlights are un-metered, but since they are turned on and off daily, the energy usage can be predicted and used to calculate a monthly energy cost which can be charged to a responsible party. Maintenance is often included in the monthly energy cost. In some cases, the responsible party can be an individual, but in most cases, it is a community, such as a planned development or subdivision. These streetlights are maintained by taxes and assessments on parcels (property taxes) within defined CSAs.

### **County Service Area Law**

In 1953, the State of California enacted the “County Service Area Law” (CSA Law), which allowed counties in California to fund services to distinct areas of benefit within the unincorporated territory of a

county, known as CSAs. Since 1967, approval of CSA formation, dissolution, and boundary changes has been required by the Local Agency Formation Commission (LAFCO). In 2008, the State Legislature rewrote the CSA Law to reflect 50 years of constitutional and statutory changes, and various legal opinions.

Butte County formed its first CSA in 1964. Since then, the County has formed over 190 CSAs, the second most of any county in California. Most of these CSAs have the authority to install and maintain street lighting. No CSAs have been formed in the County since the new CSA Law took effect at the beginning of 2009. Over 120 CSAs have been dissolved, including 40 CSAs since 2016. The County now has 66 CSAs, 39 of which have the authority to install and maintain street lighting.

Several California counties, including Alameda County, Santa Clara County and Santa Cruz County, have formed street lighting districts for the purpose of residential and commercial street lighting for some portion of the unincorporated territory in their respective county.

### **Landscape and Lighting Act of 1972**

In 1972, the State of California enacted the Landscape and Lighting Act, which allows local governments in California to form Landscape and Lighting Assessment Districts (LLADs) that would install and maintain landscaping and street lighting for the benefit of residents. While many local governments have used this law to provide for park and street landscaping, some local governments have used this law to provide street lighting.

Several California counties, including San Diego County and Riverside County, have formed such districts for the purpose of providing residential street lighting in the unincorporated territory of their respective county.



## **METHODOLOGY**

The BCGJ interviewed local government leaders regarding the formation and administration of CSAs in general, and street lighting districts in particular.

The BCGJ reviewed PG&E statements for multiple years to better understand the energy costs associated with street lighting. The BCGJ also researched technologies used in street lighting, and programs offered to modernize street lighting.

The BCGJ reviewed County budget documents, County Board of Supervisors agendas and minutes, and Butte LAFCO Municipal Service Reviews to better understand the revenue sources and expenses associated with street lighting.

The BCGJ researched street lighting districts in other California counties to compare with those in the County.

## **DISCUSSION**

The BCGJ determined that 39 of the surviving CSAs have the authority to install and maintain street lighting, though only 29 CSAs have any street lighting installed. There are 13 CSAs that only provide street lighting maintenance. Of these, 7 CSAs are funded by the general property tax (1% of assessed value), and 6 are funded through annual direct assessments ranging from \$13-\$65 per parcel. While maintenance of streetlights is performed by PG&E (and is covered by a portion of the energy cost), the Butte County Auditor-Controller's Office prepares and files state-mandated finance reports (with costs charged to each CSA), and the Butte County Department of Public Works ("Public Works") administers all CSAs. Public Works recommends budgets and assessments, pays energy bills, and allocates costs to each CSA. The annual energy cost of all streetlights is estimated at \$62,000.

The BCGJ compared the budget cost estimates with the actual costs for past years and found that the estimates for energy costs and administration costs of CSAs were often significantly higher than the direct costs. The following table shows estimated and actual costs for FY22 for several CSAs that provide only street lighting:

<b>CSA</b>	<b>Description</b>	<b>Estimated Energy Costs FY22</b>	<b>Actual Energy Costs FY22</b>	<b>Estimated Admin Costs FY22</b>	<b>Actual Admin Costs FY22</b>	<b>Estimated Fund Balance FY23</b>
11	<b>Durham Street Lighting (Zones 1+2)</b>	\$3,581	\$2,559	\$1,424	\$224	\$81,576
12	<b>Stirling City Street Lighting</b>	\$0	\$0	\$824	\$224	\$15,496
16	<b>West Chico Street Lighting</b>	\$454	\$321	\$824	\$224	\$43,553
17	<b>South Oroville/Las Plumas Park Street Lighting (Zone 1)</b>	\$10,832	\$7,695	\$712	\$112	\$79,454
27	<b>Richvale Street Lighting</b>	\$3,450	\$2,209	\$824	\$224	\$27,453
33	<b>Oro-Wyandotte Street Lighting</b>	\$1,061	\$751	\$824	\$224	\$40,776
36	<b>Glen Haven Street Lighting</b>	\$913	\$645	\$824	\$224	\$86,614
62	<b>Rancho de Thunder Subdivision 1 Street Lighting</b>	\$556	\$394	\$829	\$229	\$1,715
67	<b>Vista Del Cerro Subdivision Street Lighting</b>	\$6,492	\$4,514	\$868	\$268	\$8,152
68	<b>Crestwood Subdivision Street Lighting</b>	\$1,260	\$879	\$842	\$241	\$7,956

<b>85</b>	<b>Carriage Manor Subdivision Street Lighting</b>	\$603	\$419	\$848	\$247	\$2,567
<b>92</b>	<b>Rosewood Subdivision Street Lighting</b>	\$0	\$0	\$627	\$227	\$934
<b>103</b>	<b>Morris Subdivision Street Lighting</b>	\$754	\$523	\$829	\$229	\$3,923
	<b>TOTAL</b>	<b>\$29,966</b>	<b>\$20,909</b>	<b>\$11,099</b>	<b>\$2,897</b>	<b>\$400,169</b>

The administrative costs for the 13 above-mentioned CSAs in FY22 (the latest year for which actual costs were available) were estimated by Public Works at \$11,099, and the actual costs were \$2,897. The energy costs were estimated at \$29,966, and actual costs were \$20,909. The BCGJ found the estimated administrative costs included fees, such as Road Fund, which could not be allocated to these CSAs. Alternately, some CSAs have operating fund balances that exceed the annual energy costs for their area. For example, Durham Street Lighting (CSA 011) is projected to have a FY23 fund balance of \$81,576, compared to an annual energy cost of just \$2,559. This fund balance would cover 32 years of energy costs for the CSA but will never be depleted as it is growing by \$5,000 each year. Public Works does not have any established policy or procedure to ensure that CSA costs are estimated well. There should be a policy or procedure to guide Public Works in this regard.

The BCGJ learned that other California counties have county-wide street lighting districts, formed under provisions of the Landscape and Lighting Act of 1972. These districts offer zones of benefit, which act like CSAs, but without state-level reporting requirements of LAFCO oversight, resulting in lower overhead costs.

The BCGJ believes that using multiple CSAs to provide the benefit of street lighting is an inefficient approach, and there would be significant cost savings and reduced administration workload if all existing street lighting maintenance were reorganized as a single lighting district, patterned after the San Diego Street Lighting District, with zones of benefit corresponding to the existing CSAs with streetlights. This reorganization would save residents up to \$2,500 in administrative costs alone and reduce Public Works workload as well.

Some 39 CSAs would have their authority to maintain street lighting rescinded. The following 10 CSAs (3 CSAs are already in the process of being dissolved due to annexation) would be dissolved because of such a reorganization, as they would no longer have any specified authority:

CSA	Description
011	Durham Street Lighting (CSA 011)
012	Stirling City Street Lighting (CSA 012)
017	South Oroville/Las Plumas Park Street Lighting (CSA 017)
027	Richvale Street Lighting (CSA 027)
033	Oro-Wyandotte Street Lighting (CSA 033)
062	Rancho de Thunder Subdivision 1 Street Lighting (CSA 062)
067	Vista Del Cerro Subdivision Street Lighting (CSA 067)
068	Crestwood Subdivision Street Lighting (CSA 068)
085	Carriage Manor Subdivision Street Lighting (CSA 085)
092	Rosewood Subdivision Street Lighting (CSA 092)

The BCGJ also looked at the technology used by streetlights. The most prevalent technologies are Light-emitting Diode (LED) technology, and High-pressure Sodium vapor (HPSV) technology. LED technology is the most efficient lighting available today (at half the energy cost of HPSV technology) and has lower maintenance costs (because LED lamps last 10 times longer than HPSV lamps). The BCGJ noted that PG&E has offered a program (Street Light Turnkey Program) to modernize street lighting technology since 2009, and that in 2016, the city of Chico began retrofitting over 3,800 city-owned, and 2,200 PG&E-owned, streetlights in the city. The BCGJ found that 85 of 452 (18%) streetlights are not yet using LED technology and estimate that modernizing these streetlights would save residents up to \$7,000 per year in energy costs. The energy cost savings would result in lower property taxes for residents. The BCGJ believe the Board of Supervisors should commit to completing the modernization of streetlights to use LED technology.

The BCGJ also investigated the process of adding streetlights to neighborhoods at the request of residents. Residents can apply to PG&E to install new streetlights at personal expense and operating

costs. Developers can install streetlights in new subdivisions or developments and form new districts to maintain the streetlights using direct assessments. The BCGJ learned that there is no such County policy or procedure to share costs to install and maintain new streetlights. The BCGJ believe that County residents should have this option. Utilizing a single county-wide assessment district would allow such a procedure to be created. Several counties, including San Diego County, have such a policy for its street lighting district.

## **FINDINGS**

- F1. Butte County has too many County Service Areas (39) providing street lighting maintenance, which have high overhead costs compared to the benefit they provide.
- F2. Butte County Department of Public Works overestimates the administrative expenses for County Service Areas that provide street lighting maintenance, which influences assessment adjustments.
- F3. Some streetlights within the unincorporated territory of Butte County are still using less-efficient HPSV lamps, resulting in higher energy costs for nearby residents.
- F4. Butte County has no procedure for residents within its unincorporated territory to request new streetlights in their neighborhood, making it more difficult to enhance pedestrian visibility and reduce crime.

## **RECOMMENDATIONS**

- R1. The Board of Supervisors should adopt a plan to form a single district for street lighting maintenance by March 31, 2024.
- R2. The Butte County Department of Public Works should establish procedures for estimating expenses for County Service Areas (or successor agencies) that provide street lighting maintenance by March 31, 2024.
- R3. The Board of Supervisors should commit to completing conversion of the remaining HPSV lamps to LED technology by March 31, 2024.

- R4. The Board of Supervisors should adopt a procedure for residents to request new streetlights in their neighborhood by March 31, 2024.

## REQUIRED RESPONSES

The following responses are required pursuant to Penal Code § 933 and 933.05 within 90 days of receipt of this report:

From the following governing bodies:

- Butte County Board of Supervisors: F1, F2, F3, F4, R1, R2, R3, R4

## INVITED RESPONSES

The Grand Jury invites the following responses within 60 days of receipt of this report:

- Executive Director of Butte Local Agency Formation Commission: F1, R1
- Director of Butte County Department of Public Works: F2, F4, R2, R4

Responses are to be submitted to the presiding judge of the Butte County Superior Court in accordance with the provisions of Penal Code § 933.05. Responses must include information required by §933.05.

Reports issued by the Grand Jury do not identify individuals interviewed. Penal Code § 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

## WEBSITES

<http://www.buttecounty.net/administration/County-Budget> - County Budget documents

<https://www.buttelafco.org/county-service-areas> - Butte LAFCO Municipal Service Reviews for CSAs

<https://www.sandiegocounty.gov/content/sdc/dpw/specialdistricts/streetlight.html> - Streetlight Districts in San Diego County

<https://dpw.co.santa-cruz.ca.us/Home/CSAs/ResidentialStreetLighting.aspx> - Residential Street Lighting in Santa Cruz County

<https://rctlma.org/trans/Land-Development/LLMD89-1-C> - Street Lighting in Riverside County

<https://calafco.org/sites/default/files/resources/STPIPublication.pdf> - "Serving the Public Interest," October 2008

[http://chico-ca.granicus.com/Viewer.php?view\\_id=2&clip\\_id=618&meta\\_id=49993](http://chico-ca.granicus.com/Viewer.php?view_id=2&clip_id=618&meta_id=49993) - Chico City Council Agenda Report on Replacing Street Lights with LED Technology

[https://www.pge.com/en\\_US/large-business/save-energy-and-money/business-solutions-and-rebates/lighting/led-street-lighting-replacement-program.page](https://www.pge.com/en_US/large-business/save-energy-and-money/business-solutions-and-rebates/lighting/led-street-lighting-replacement-program.page) - PG&E Street Light Replacement Program