



Staff Report

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**File #:** 23-0340

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**REQUEST FOR CITY COUNCIL ACTION**

**DATE:** 05/03/2023

**TO:** Honorable Mayor and City Council Members

**FROM:** Finance Department

**SUBJECT:**

RESOLUTION INITIATING PROCEEDINGS TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2024 FOR LANDSCAPE MAINTENANCE DISTRICT NO. 84-2, ZONE 19, APPOINTING ENGINEER OF RECORD, AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT.

**EXECUTIVE SUMMARY:**

This staff report asks the City Council to consider staff's recommendation to appoint Spicer Consulting Group, LLC to prepare the Engineer's Report necessary to levy and collect special assessments for Fiscal Year 2024 for Landscape Maintenance District No. 84-2, Zone 19. Landscape Maintenance District No. 84-2 was established in 1983 in accordance with the provisions of the Landscaping and Lighting Act of 1972 to provide maintenance, servicing, and operation of public landscaping and appurtenant facilities within the district boundaries. The State of California Street and Highways Code Section 22500 requires an annual review of the assessments levied by the special districts formed under the Landscape and Lighting Act of 1972.

**RECOMMENDED ACTION:**

**That the City Council** adopt Resolution No. 2023-027, initiating proceedings to levy and collect assessments for Fiscal Year 2024 for Landscape Maintenance District No. 84-2, Zone 19 pursuant to the Landscaping and Lighting Act of 1972, appointing Engineer of Record, and ordering preparation of an Engineer's Report.

**BACKGROUND & HISTORY:**

Landscape Maintenance District 84-2 (LMD 84-2) was established in 1983 in accordance with the provisions of the Landscape and Lighting Act of 1972 (the 1972 Act). The purpose of this district was to provide the maintenance, servicing, and operation of public landscaping and appurtenant facilities within the district boundaries.

LMD 84-2 consists of 12 benefit zones. Each zone imposes a different assessment levy based on the benefit areas associated with that zone. Exhibit 1 illustrates the area boundaries of LMD 84-2, Zone 19.

The State of California Street and Highways Code Section 22500 requires an annual review of the assessments levied by the special districts formed under the 1972 Act. In order to levy and collect special assessments within the districts, an Engineer's Report must be prepared, which provides details on the improvements that are maintained and the estimated budgets for each district.

**ANALYSIS:**

Staff recommends that the City Council appoint Spicer Consulting Group, LLC to prepare the Engineer's Reports necessary to levy and collect special assessments for Fiscal Year 2024 for the above district. The consultant has extensive experience in assessment district financing and administration and was selected as the City's special tax consulting service provider through a competitive process in January 2023.

The attached resolution initiates the proceedings pursuant to the 1972 Act to levy and collect annual assessments within the district for the maintenance, servicing, and operation of public landscaping and appurtenant facilities within the districts' boundaries. The resolution also appoints Spicer Consulting Group, LLC as Engineer of Record for the purpose of preparing the Engineer's Report for the district in Fiscal Year 2024.

**FINANCIAL IMPACT:**

The proposed annual fees of \$2,419 for LMD 84-2, Zone 19 from Spicer Consulting Group, LLC are for the preparation of the Fiscal Year 2024 Engineer's Report, calculation of special assessments, submission of annual levy, as well as other administrative tasks. The cost will be paid by the special assessment collected within the district and is included in the district's current budget.

**ENVIRONMENTAL ANALYSIS:**

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action merely sets the special taxes to be levied and collected within the District for Fiscal Year 2024, and there is no possibility that adopting the resolution will have a significant effect on the environment. Therefore, no environmental analysis is required.

**PREPARED BY:** ERMA MONTANO, SENIOR FINANCIAL ANALYST

**REVIEWED BY:** KIM SITTON, FINANCE DIRECTOR

**Attachments:**

1. Exhibit 1 - LMD 84-2, Zone 19 Boundary Map
2. Exhibit 2 - Resolution No. 2023-027