



## Legislation Details (With Text)

**File #:** 18-1912      **Version:** 1      **Name:**  
**Type:** Public Hearings      **Status:** Passed  
**File created:** 7/3/2018      **In control:** City Council  
**On agenda:** 7/18/2018      **Final action:** 7/18/2018  
**Title:** Public Hearing for City Council consideration to adopt Resolution No. 2018-081 confirming the diagram and assessment for Lighting Maintenance District No. 84-2 for Fiscal Year 2018-19.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit A - LMD 84-2 District Diagram, 2. Exhibit B - Overview of Revenues and Expenditures for LMD 84-2, 3. LMD 84-2 Reso 2018-081, 4. LMD 84-2 Final Engineer Report FY 2018-19

Date	Ver.	Action By	Action	Result
7/18/2018	1	City Council	accepted	

### AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

**DATE:** 7/18/2018

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

**FROM:** Administrative Services Department

**SUBJECT:**

Public Hearing for City Council consideration to adopt Resolution No. 2018-081 confirming the diagram and assessment for Lighting Maintenance District No. 84-2 for Fiscal Year 2018-19.

#### RECOMMENDED ACTION:

That the City Council adopt Resolution No. 2018-081 confirming the diagram and assessment for Lighting Maintenance District No. 84-2 for Fiscal Year 2018-19.

#### ANALYSIS:

Landscape Maintenance District No. 84-2 (the "District") was established in accordance with the provisions of the Landscaping and Lighting Act of 1972 (the "1972 Act") in 1984. The purpose of the District is to provide landscape maintenance and operating services for the public landscaping and appurtenant facilities within the District's boundaries.

The District consists of 12 benefit zones covering approximately 370 acres of landscaped area. Each zone imposes a different assessment levy based on the benefit areas associated with that zone. The

annual assessments proposed to be levied within the District will pay for the maintenance of parks, slopes, parkways, and open spaces during Fiscal Year 2018-19. Services provided include all necessary operations, administration, capital replacements, and maintenance required to keep the above mentioned improvements in a healthy and satisfactory working condition.

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

On May 16, 2018, the City Council adopted Resolutions No. 2018-028, to initiate the proceedings to levy and collect assessments for the District for Fiscal Year 2018-19, appointed Spicer Consulting Group, LLC as the engineer of record, and ordered the preparation of an Engineer's Report for the District.

On June 6, 2018, the City Council adopted Resolution No. 2018-034, to declare the City's intention to levy and collect assessments within the District, approve the preliminary Engineer's Report (the "Preliminary Report"), and provide notice of public hearing on the proposed assessments. Notice of public hearing was published in the local newspaper on June 13, 2018.

Attached is the final Engineer's Report (the "Report") for the District, which is consistent with the Preliminary Report. The Report includes a detailed description of the existing improvements within the District, the estimated maintenance costs, the method of assessment apportionment for each lot or parcel within the District boundaries, and a diagram showing the boundaries of the District (and zone). The Report also provides an analysis of the District's financial status.

Adoption of the recommended resolution is the last step of the annual proceedings for the levy and collection of special assessment within the District. The City Council will conduct a public hearing to afford all interested parties an opportunity to make verbal or written comments on the proposed annual assessment. At the conclusion of the hearing, it is recommended that the City Council adopt the said resolution confirming the diagram and assessments for the District for Fiscal Year 2018-19, which will constitute the levy of the assessment for the maintenance and servicing of public lighting facilities within the District, in accordance with the Streets and Highways Code.

#### **COMMITTEE ACTION:**

Not Applicable

#### **STRATEGIC PLAN:**

This item supports the City's Strategic Plan Goal 6: Improve Communications with Our Community; Objective a: Commit to transparency in all City actions. The recommended action will help achieve these goals by providing concise, forthright information regarding the annual levy proceedings for the District.

#### **FISCAL IMPACT:**

The cost of construction, installation, operation, servicing and maintenance of the District will be

funded by the assessments levied and collected within the District. For Fiscal Year 2018-19, it is projected that the current year assessment revenue will be sufficient to cover the operating costs for zone 1, 2, 4, 7, 10, 14, 15, and 20 within the District during the same fiscal period. It is also projected that the current year assessment revenue will be insufficient to cover the operating costs for zone 6, 17, 18, and 19 during the same fiscal period, which will be covered by a one-time contribution from each respective zone's operating reserves and/or capital reserves. The overview of each zone within the District's estimated assessment revenues and proposed expenditures for Fiscal Year 2018-19 is attached in Exhibit B. Detailed information per zone can be found in the attached Report.

**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 general rule 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 action is not subject to CEQA. This action merely declares the City's intent to levy and collect assessments within the District for Fiscal Year 2018-19, and there is no possibility that adopting the resolution will have a significant effect on the environment.

**PREPARED BY:** LIEN-CHI CANTUBA, FINANCIAL ANALYST III

**REVIEWED BY:** MICHELE NISSEN, ASSISTANT CITY MANAGER

**SUBMITTED BY:** KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

**Exhibit A - LMD 84-2 District Diagram**

**Exhibit B - Overview of Revenues & Expenditure for LMD 84-2**