



## Legislation Details (With Text)

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**Title:** Public Hearing for City Council consideration of Resolution No. 2019-036, confirming the diagram and assessment within Zones 1, 2, 4, 7, 10, 14, 15, 17, 18 and 20 of the Landscape Maintenance District No. 84-2 for Fiscal Year 2019-20.

**Sponsors:**

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**Attachments:** 1. Staff Report, 2. Staff Report with Attachments

Date	Ver.	Action By	Action	Result
6/19/2019	1	City Council	adopted	
6/19/2019	1	City Council	adopted	Pass

### AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

**DATE:** 6/19/2019

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

**FROM:** Administrative Services Department

**SUBJECT:**

Public Hearing for City Council consideration of Resolution No. 2019-036, confirming the diagram and assessment within Zones 1, 2, 4, 7, 10, 14, 15, 17, 18 and 20 of the Landscape Maintenance District No. 84-2 for Fiscal Year 2019-20.

**RECOMMENDED ACTION:**

That the City Council adopt Resolution No. 2019-036, confirming the diagram and assessment within Zones 1, 2, 4, 7, 10, 14, 15, 17, 18 and 20 of the Landscape Maintenance District No. 84-2 for Fiscal Year 2019-20.

**ANALYSIS:**

Zones 1, 2, 4, 7, 10, 14, 15, 17, 18 and 20 of the 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 1986. 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.

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 2019-20. 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 1, 2019, the City Council adopted Resolution No. 2019-017, to initiate the proceedings to levy and collect assessments for the District for Fiscal Year 2019-20, appointed Spicer Consulting Group, LLC as the engineer of record, and ordered the preparation of an Engineer's Report for the District.

On May 15, 2019, the City Council adopted Resolution No. 2019-028, to declare the City's intention to levy and collect assessments within the District, approve the preliminary Engineer's Report (the "Preliminary Report") as it pertains to the District, and provide notice of public hearing on the proposed assessments. Notice of public hearing was published in the local newspaper on June 7, 2019.

Attached is the final Engineer's Report (the "Report") as it pertains to 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 2019-20, 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 2019-20, it is projected that the current year assessment revenue will be sufficient to cover the operating costs for Zones 1, 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 2, 17, and 18 during the same fiscal period, which will be covered by a one-time contribution from each respective zone's capital reserves.

The overview of each zone within the District's estimated assessment revenues and proposed expenditures for Fiscal Year 2019-20 is presented below. Detailed information per zone can be found in the attached Report.

District	Estimated Costs	Estimated Assessment Revenue	General Benefit Contribution <sup>(1)</sup>	MWD Rebate	Estimated Excess/(Deficit)	Contribution (To)/From Operating Reserve	Contribution (To)/From Capital Reserve	Operating Reserve <sup>(2)</sup>	Capital Reserve <sup>(3)</sup>
LMD 84-2, Zone 1	3,210	4,147	-	-	937	-	(937)	1,605	19,146
LMD 84-2, Zone 2	84,439	81,084	209	-	(3,146)	-	3,146	42,220	24,659
LMD 84-2, Zone 4	64,391	91,780	-	1,000	28,389	-	(28,389)	32,196	167,888
LMD 84-2, Zone 7	71,088	78,793	-	5,000	12,705	-	(12,705)	35,544	69,070
LMD 84-2, Zone 10	1,330,448	2,144,599	-	22,000	836,151	-	(836,151)	665,224	4,724,955
LMD 84-2, Zone 14	363,835	588,663	767	5,000	230,595	-	(230,595)	181,913	958,799
LMD 84-2, Zone 15	28,436	26,755	-	-	(1,681)	-	1,681	14,218	76,689
LMD 84-2, Zone 17	32,569	22,110	-	500	(9,959)	-	9,959	16,285	2,742
LMD 84-2, Zone 18	58,769	35,980	383	5,000	(17,406)	-	17,406	29,385	60,413
LMD 84-2, Zone 20	774,645	1,068,698	-	20,000	314,053	-	(314,053)	387,323	1,338,166

(1) Benefit received by non-residents of the District for the major/arterial streetlights, traffic signals, traffic control devices and landscape improvements. This amount is contributed by the City's General Fund.

(2) The Operating Reserve fund may equal up to 50% of the estimated annual cost of providing services.

(3) The Capital Replacement Reserve fund will be used for capital improvement projects. All existing improvement in the District have finite life expectancies and will require replacement at some point in the future. On an annual basis, any non-expended assessment monies, in excess of Operating Reserve contribution, will be transferred to the Capital Replacement Reserve fund until such time as there are sufficient funds to pay for the needed replacement, or respond to unforeseen capital improvement needs.

## 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 2019-20, 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:** KIM SITTON, FINANCE MANAGER III

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

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

**SUBMITTED BY:** MITCHELL LANSDELL, ACTING CITY MANAGER

**Attachments:**

1. Fiscal Year 2019-20 Landscape Maintenance District No. 84-2 Final Engineer's Report, as it pertains to the District.
2. Resolution No. 2019-036