



## Legislation Details (With Text)

**File #:** 21-0506      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Passed  
**File created:** 5/18/2021      **In control:** City Council  
**On agenda:** 6/2/2021      **Final action:** 6/2/2021  
**Title:** Resolution declaring intention to levy and collect assessments within Zone 19 of the Landscape Maintenance District No. 84-2 for Fiscal Year 2022, approving preliminary Engineer's Report as it pertains to Zone 19, and providing notice of public hearing on proposed assessments.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Exhibit 1 - FY 2022 LMD 84-2 Preliminary Engineers Report, as it pertains to the District, 3. Exhibit 2 - Resolution No 2021-041

Date	Ver.	Action By	Action	Result
6/2/2021	1	City Council	approved	

### REQUEST FOR CITY COUNCIL ACTION

**DATE:** 06/02/2021

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

**FROM:** Finance Department

**SUBJECT:**

Resolution declaring intention to levy and collect assessments within Zone 19 of the Landscape Maintenance District No. 84-2 for Fiscal Year 2022, approving preliminary Engineer's Report as it pertains to Zone 19, and providing notice of public hearing on proposed assessments.

**EXECUTIVE SUMMARY:**

Adoption of the recommended resolution will declare the City's intent to levy and collect Fiscal Year 2022 assessments, approve the preliminary Engineer's Report, and set a public hearing for July 7, 2021, at which time the City Council may approve the annual assessments and order the levy of assessments within the District.

**RECOMMENDED ACTION:**

**That the City Council** adopt Resolution No. 2021-041, declaring intention to levy and collect assessments within Zone 19 of the Landscape Maintenance District No. 84-2 for Fiscal Year 2022, approving preliminary Engineer's Report as it pertains to Zone 19, and providing notice of public hearing on proposed assessments.

**BACKGROUND & HISTORY:**

Zone 19 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 related appurtenances within the District's boundaries.

**ANALYSIS:**

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 districts, Engineer's Reports must be prepared, which provide details on the improvements that are maintained and the estimated budgets for each district.

On May 5, 2021, the City Council adopted Resolution No. 2021-026, to initiate the proceedings to levy and collect assessments for the District for Fiscal Year 2022, appointed Spicer Consulting Group, LLC as the engineer of record, and ordered the preparation of an Engineer's Report for the District.

Attached to this report is the preliminary Engineer's Report as it pertains to the District, which includes a detailed description of the existing improvement, the estimated maintenance costs, the methods of assessment apportionment, and diagram showing the boundaries of the District. The report also provides analyses of the District's financial status.

**FINANCIAL IMPACT:**

The cost of operation, servicing and maintenance of the District will be funded by the assessments levied and collected within the District. For Fiscal Year 2022, it is projected that the current year assessment revenues will be insufficient to cover the operating costs for Zone 19 of the District during the same fiscal period, which will be covered by a one-time contribution from the operating reserves and a proposed inter-fund loan from the Dwelling Development Tax Fund (if needed, based on year-end actual fund balances). The City continues to look for opportunities to help reduce expenses for the District.

Below is an overview of the District's estimated assessment revenues and proposed expenditures for Fiscal Year 2022. Detailed information can be found in the attached Report.

District	Estimated Costs	Estimated Assessment Revenue	Estimated Excess/(Deficit)	Contribution (To)/From Operating Reserve	Contribution (To)/From Capital Reserve	Operating Reserve <sup>(1)</sup>	Capital Reserve <sup>(2)</sup>
LMD 84-2, Zone 19	559,682	464,940	(94,742)	94,742	-	(135,000)	-

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

2) 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 2022, 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:** LIEN-CHI CANTUBA, FINANCIAL ANALYST III

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

**Attachments:**

1. Exhibit 1 - FY 2022 LMD 84-2 Preliminary Engineers Report, as it pertains to the District
2. Exhibit 2 - Resolution No. 2021-041