

CITY OF YUBA CITY  
STAFF REPORT

**Date:** May 21, 2019  
**To:** Honorable Mayor & Members of the City Council  
**From:** Public Works Department  
**Presentation by:** Benjamin Moody, Interim Assistant Public Works Director

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**Summary**

**Subject:** Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B\_13 (Larson Orthodontics)

**Recommendation:** Adopt a Resolution confirming and ordering annexation of Zone of Benefit B\_13 (Larson Orthodontics) into Yuba City Lighting and Landscape Maintenance District No. 6 and establishing a levy of assessments for the annexed territory.

**Fiscal Impact:** \$133.47 per parcel, \$266.94 total for Zone of Benefit B\_13 annually through levies, subject to inflation.

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**Purpose:**

To establish an assessment district to fund the operation, maintenance, and administration of streetlights associated with the Larson Orthodontics development on Lassen Boulevard

**Background:**

As part of the Conditions of Approval for the Larson Orthodontics Development at APNs 53-050-087 and 53-050-088, south of Lassen Boulevard and east of Carson Drive, the owner has been required to enter into a maintenance district. The maintenance district will fund the ongoing costs for the operation and maintenance of the street lighting system for the proposed parcels.

The proposed Lighting and Landscape Maintenance District (LLMD) will provide the funds for operating and maintaining two (2) LED-type streetlights, one along the south side of Lassen Boulevard, and one east of Carson Drive, located adjacent to the development.

The City has created and modified several LLMDs that encompass many commercial projects and subdivisions over the past few years.

The process of annexing a new Zone of Benefit within an existing LLMD consists of adopting multiple City Council Resolutions, holding notices of hearings, and observing rights of majority protests.

### **Analysis:**

The public notice procedure can be waived and an expedited process can be substituted if the property owners requesting to be annexed into the District request to waive the above process. The expedited process consists of the City Council adopting a single resolution which confirms and orders the annexation of the new Zone of Benefit into the existing district, while ordering a levy of assessments for said Zone of Benefit. The levy amounts have been established by City staff through the creation of an Engineer's Report for the Zone of Benefit. The Engineer's Report contains a detailed estimate of annual costs to energize and maintain the street lights within the Zone of Benefit. (Attachment 2)

Once the resolution has been adopted, the City will file the Engineer's Report with the City Clerk. The information will then be provided to the Sutter County Auditor-Controller so that the properties can be assessed accordingly.

The owners of Larson Orthodontics have requested to waive the public hearing proceedings, which has allowed the City to utilize the expedited process in order to annex Zone of Benefit B\_13 into District No. 6.

### **Fiscal Impact:**

Revenue from the assessed parcels is to be used to provide maintenance services and district administrative costs. The Engineer's Report for the Yuba City Lighting and Landscape Maintenance District No. 6 Zone of Benefit B\_13 has determined that the annual assessed amount for the proposed LLMD is \$266.94, subject to an annual inflation increase.

### **Alternatives:**

1. Do not adopt the following resolution and fund the operation and maintenance of the streetlights from alternate sources.
2. Direct staff to begin the typical long form Lighting and Landscape Maintenance District annexation procedure.

### **Recommendation:**

Adopt a resolution confirming and ordering annexation of Zone of Benefit B\_13 (Larson Orthodontics) into Yuba City Lighting and Landscape Maintenance District No. 6 and establishing a levy of assessments for the annexed territory.

### **Attachments:**

1. Resolution
2. Engineer's Report – LLMD No. 6, Zone of Benefit B\_13
3. Vicinity Map
4. Improvement Plans

Prepared by:

*/s/ Joshua G. T. Wolfe*

Joshua G. T. Wolfe  
Assistant Civil Engineer

Reviewed by:

Department Head

Finance

City Attorney

Submitted by:

*/s/ Diana Langley*

Diana Langley  
Interim City Manager

BM

RB

SLC by email

# ATTACHMENT 1

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
CONFIRMING AND ORDERING ANNEXATION INTO YUBA CITY LIGHTING AND  
LANDSCAPE MAINTENANCE DISTRICT NO. 6 AND ESTABLISHING A LEVY OF  
ASSESSMENTS FOR THE ANNEXED TERRITORY**

**WHEREAS**, the City of Yuba City, pursuant to the provisions of the Lighting and Landscaping Act of 1972, Part 2 of Division 15 of the Streets and Highways Code (commencing with Section 22500) (the "Act"), previously established Yuba City Lighting and Landscape Maintenance District ("District") No. 6, and has levied and collected the annual assessments for said District No. 6; and

**WHEREAS**, assessments levied within the District provided revenue for the purpose of financing the maintenance of certain public projects eligible under the Act, including without limitation the operation, maintenance, and servicing of public streetlights, and other appurtenant facilities; and

**WHEREAS**, certain property owners have requested their property to be annexed into District No. 6; and

**WHEREAS**, in annexation proceedings, the resolutions, report, notices of hearing, and right of majority protest shall be waived with the written consent of all of the owners of property within the territory to be annexed, and mailed notice may be dispensed with as to all property owners who shall have filed a written request for the annexation of their property; and

**WHEREAS**, pursuant to Section 22608 of the Streets and Highways Code, the property owners have provided written consent waiving such items, and acknowledging the amount of levy and collection of assessments; and

**WHEREAS**, the resolutions, report, notices of hearing, right of majority protest, and mailed notice have been properly waived; and

**WHEREAS**, the City Council desires to annex the territory of the property owners to existing assessment District No. 6; designate the portion of the annexed territory into District No. 6 as "Zone of Benefit B\_13" for certain property, and set the levy and collection of assessments against the assessable lots and parcels of land for that portion of territory; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:**

Section 1. The above recitals are true and correct, and are hereby incorporated herein by this reference.

Section 2. The City Council finds that the hearing on said annexation of territory and levy of assessment was held in accordance with law and all persons desiring to speak were heard, and that there was no majority protest by the property owners of the same.

Section 3. The City Council orders the territory identified in Exhibit "A" is annexed into existing assessment district Yuba City Lighting and Landscape Maintenance District No. 6 ("District") which portion of territory is further designated as "Zone of Benefit B-13" of Lighting and Landscape Maintenance District No. 6.

Section 4. The City Council hereby (1) finds that the public interest and convenience requires and (2) declares its intention to order the levy of and to collect assessments against the assessable lots and parcels of property within Zone of Benefit B-13 of the existing assessment district designated "Yuba City Lighting and Landscape Maintenance District No. 6" pursuant to the provisions of the Act, for the remainder of the fiscal year commencing July 1, 2018 and ending June 30, 2019, to pay for the costs and expenses of the improvements for Zone of Benefit B-13, at the assessment rate(s) set forth in Exhibit "B."

Section 5. The City Council hereby determines that the territory within Zone of Benefit B-13 of the District, whose boundaries are set forth in Exhibit "A," will be the territory benefited by the maintenance and servicing of the improvements.

Section 6. The City Council hereby orders the levy of the assessments described in said Exhibit "B."

Section 7. The City Council finds that the assessment diagram showing Zone of Benefit B-13 of the District, and also the subdivision of land within the District, as contained in Exhibit "A," be and it is hereby finally approved and confirmed as the diagram of the properties to be assessed to pay the costs of the improvements for that portion of the District, which are identified in Exhibit "C."

Section 8. The City Clerk shall file the diagram and assessment, as confirmed or certified copy thereof, with the Sutter County Auditor-Controller no later than May 31, 2019.

The foregoing Resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 21st day of May 2019.

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Shon Harris, Mayor

ATTEST

\_\_\_\_\_  
Patricia Buckland, City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY

\_\_\_\_\_  
Shannon L. Chaffin, City Attorney  
Aleshire & Wynder, LLP

## ATTACHMENT 2

# **ENGINEER'S REPORT**

## **YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6**



### **2018-2019 ZONE OF BENEFIT B\_13 (Larson Orthodontics)**



**ENGINEER'S REPORT  
FOR  
YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6  
ZONE OF BENEFIT B\_13  
(Larson Orthodontics)  
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**

The undersigned respectfully submits the enclosed report as directed by the City Council.

Dated : 5/15/19

By : Diana Langley  
Engineer of Work

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto attached, was filed with me on the \_\_\_\_ of \_\_\_\_\_, 2019.

Patricia Buckland, City Clerk  
City of Yuba City  
Sutter County, California

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto attached, was approved and confirmed by the City Council of the City of Yuba City, California, on the \_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_.

Patricia Buckland, City Clerk  
City of Yuba City  
Sutter County, California

By : \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto attached, was filed with the County Auditor of the County of Sutter, on the \_\_\_\_ of \_\_\_\_\_, 2019.

Patricia Buckland, City Clerk  
City of Yuba City  
Sutter County, California

By : \_\_\_\_\_

**ENGINEER'S REPORT**  
**YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6**  
**ZONE OF BENEFIT B\_13**  
**(Larson Orthodontics)**  
(Pursuant to the Landscaping and Lighting Act of 1972)

Diana Langley, Engineer of work for the Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B\_13, City of Yuba City, County of Sutter County, California, makes this report as directed by City Council, pursuant to Section 22585 of the Streets and Highway Code (Landscape and Lighting Act of 1972).

The improvement to be maintained subject to this report is the street lighting system adjacent to parcel numbers 53-050-087, and 53-050-088, located south of Lassen Boulevard, and east of Carson Drive.

This report consists of five parts, as follows:

Part A- Plans and specifications (the improvements to be maintained are not filed with the City Clerk, since this will be a maintenance district only).

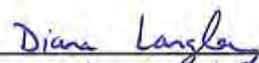
Part B - An estimate of the cost of maintenance.

Part C - An assessment of the estimated cost of maintenance on each benefited parcel of land within the assessment district (see attached list).

Part D - A statement of the method by which the undersigned has determined the amount proposed to be assessed against each parcel.

Part E - A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to Part C by assessment number.

Respectfully submitted,



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Diana Langley  
Engineer of Work  
City of Yuba City

**PART A  
PLANS AND SPECIFICATIONS**

**YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6  
ZONE OF BENEFIT B\_13  
(Larson Orthodontics)**

This is a maintenance district only -- no plans or specifications are required.

**PART B  
ESTIMATE OF COST OF MAINTENANCE**

**Yuba City Lighting and Landscape Maintenance District No. 6  
Zone of Benefit B\_13  
(2 Parcels)**

Street Lighting (Collector/Arterial)  
 Fixture Type: Cree LEDway Series Street Light, Type II Medium, 66 System Watts  
 4,750 min. initial delivered lumens @ 4,000 - 4,400K color temperature

<u>Calculation per fixture</u>	<u>Total</u>
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Use = 66 watts @ 120-480V

PG&E LS-2 Rate 3/1/2019: (\$3.938/month + \$0.207/month) \*12 months/year = \$ 49.74  
 energy charge + facility charge

Fixture Cost

15 year life expectancy (\$505 / 15years) = \$ 33.67

Pole Replacement Cost

Pole Replacement Factor (.25% \* \$2,000) = \$ 5.00

Installation, Maintenance Cost

Use 4 hour replacement / maintenance in a 15 year period

Yuba City Public Works Department

Electrical Maintenance – Fully Burdened with Boom Truck FY 18/19

4 Hours Electrician (4 \* \$138.88/hr)/15years = \$ 37.03

4 Hours Boom Truck (4 \* \$30.63/hr)/15 years = \$ 8.17

**Subtotal one collector/arterial street light / year (2019 dollars) = \$ 133.61**

Street Lighting (Residential)

Fixture Type: Cree LEDway Series Street Light, Type II Medium, 35 System Watts  
 3,000 min. initial delivered lumens @ 4,000 - 4,400K color temperature

<u>Calculation per fixture</u>	<u>Total</u>
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Use = 35 watts @ 120-480V

PG&E LS-2 Rate 3/1/2019: (\$1.892/month + \$0.207/month) \*12 months/year = \$ 25.19  
 energy charge + facility charge

Fixture Cost  
15 year life expectancy (\$505 / 15years) = = \$ 33.67

Pole Replacement Cost  
Pole Replacement Factor (.25% \* \$2,000) = = \$ 5.00

Installation, Maintenance Cost  
Use 4 hour replacement / maintenance in a 15 year period

Yuba City Public Works Department  
Electrical Maintenance – Fully Burdened with Boom Truck FY 18/19

4 Hours Electrician (4 \* \$138.88/hr)/15years = \$ 37.03  
4 Hours Boom Truck (4 \* \$30.63/hr)/15 years = \$ 8.17

**Subtotal one residential street light / year (2019 dollars) = \$ 109.06**

Street Lighting – (Collector/Arterial + Residential)  
\$133.61/yr + \$109.06/yr = \$ 242.67

Fixture  
CPI multiplier (1.0) \$ 242.67  
10% Administration = \$ 24.27

**Subtotal Assessment = \$ 266.94**

**Per Lot Assessment (2 Lots) = \$ 133.47**

**PART C  
ASSESSMENT ROLL**

**Yuba City Lighting and Landscape Maintenance District No. 6  
ZONE OF BENEFIT B\_13**

<b>Assessment #</b>	<b>Assessor's #</b>	<b>Amount of Assmt.</b>
1	53-050-087	\$ 133.47
2	53-050-088	\$ 133.47

**PART D**  
**METHOD OF APPORTIONMENT OF ASSESSMENT**

**Yuba City Lighting and Landscape Maintenance District No. 6**  
**Zone of Benefit B\_13**

All areas within the LLMD will share equally in the maintenance costs of the one 66-watt LED street light and one 35-watt LED street light (\$ 266.94 per year). All additional lots added to this Zone of Benefit will benefit in like manner.

The proposed assessments upon assessable lots and parcels of land within the assessment district shall be adjusted annually on each January 1 to reflect changes from January of the previous year to January of the current year of the “All Urban Consumers” Consumer Price Index, US City Average, as compiled by the United States Department of Labor, Bureau of Labor Statistics.

A 10% administration charge will be added to each assessment to cover the cost to administer the District.

**Consumer Price Index**

Year	Consumer Price Index	Multiplier
January 2018	247.867	1.016
January 2019	251.712	1.000

**PART E**

**ASSESSMENT DIAGRAM**

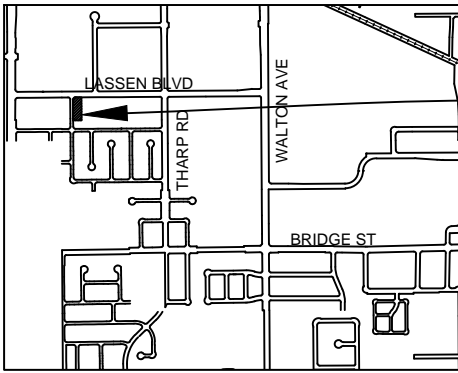
**Yuba City Lighting and Landscape Maintenance District No. 6**

**ZONE OF BENEFIT B\_13**

**(Larson Orthodontics)**



# ATTACHMENT 3



SUBJECT AREA



SCALE: 1" = 400'

**LARSON ORTHODONTICS  
LIGHTING AND LANDSCAPE MAINTENANCE  
DISTRICT No. 6  
ZONE OF BENEFIT B\_13**



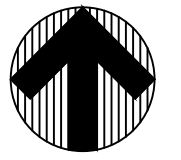
# ATTACHMENT 4



**SYMBOL LEGEND:**

-  - EXISTING STREET LIGHT ( 2 TOTAL)
-  - AREA FOR ZONE OF BENEFIT B\_13

**LIGHTING AND LANDSCAPE MAINTENANCE  
DISTRICT No. 6, ZONE OF BENEFIT B\_13  
EXISTING LIGHT LOCATION**



SCALE: 1" = 125'