

CITY OF YUBA CITY
STAFF REPORT

Date: July 16, 2019
To: Honorable Mayor & Members of the City Council
From: Public Works Department
Presentation by: Benjamin Moody, Interim Assistant Public Works Director

Summary

Subject: Yuba City Landscape Maintenance District No. 1 (Stabler Lane/Garden Highway Area) Resolution of Intent

Recommendation: A. Adopt the following resolutions to continue the Maintenance District, pursuant to the Landscaping and Lighting Act of 1972:

- Resolution Describing Improvements and Ordering the Engineer of Work to File a Report with Regard to Yuba City Landscape Maintenance District No. 1
- Resolution Directing Filing of Annual Report, Yuba City Landscape Maintenance District No. 1
- Resolution of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1

B. Set a public hearing for August 20, 2019 at 6:00 PM to establish assessments for FY 19/20

Fiscal Impact: Receipt of assessments and expenditures of funds for Landscape Maintenance District No. 1.

Purpose:

To continue to provide Lighting and Landscape Maintenance throughout the City pursuant to the provisions of the Landscaping and Lighting Act of 1972 and Article XIID of the California Constitution.

Background:

The City annually levies and collects special assessments in order to maintain and service landscaping improvements that provide special benefit to the parcels identified in Landscape Maintenance District No. 1. The assessments were approved by the property owners of record through a protest-ballot proceeding at the time the District was formed.

District No. 1, which includes the Garden Highway and Stabler Lane areas, does not have provisions for a cost of living adjustment (COLA). This District has historically been charged the maximum levy allowed in order to cover the maintenance expenses.

Staff has analyzed the District and has projected anticipated expenditures and revenues for the coming fiscal year as a basis for the proposed levies. Additionally, past Council direction advised staff to levy assessments in future years at levels by which reserves will be maintained; the revenues will cover the expenses with minimal increases from year to year.

Analysis:

The Engineer’s Annual Report has been prepared and is on file in the City Clerk’s office. The report describes the District, the improvements therein, the method of assessment, and the proposed assessment for each parcel. The Resolution directing the filing of the Annual Report and the Resolution of Intention to order improvements are required by State law to continue the District. The proposed action in this report sets a public hearing for the Council meeting to be held on August 20, 2019 to establish assessments for the coming year.

The expenditures in District No. 1 exceed the revenue due to the lack of COLA provisions, creating a negative projected Reserve Fund Balance in 2020. The City previously attempted to modify District No. 1 to include the COLA provisions, but residents within the District opposed the modification. Without the ability to increase rates, the cost to maintain the district will increase with inflation while funding will remain stagnant. This will result in a lower level of maintenance due to the inability to properly fund the necessary maintenance activities.

Fiscal Impact:

The proposed assessments for Fiscal Year 19/20 are shown in Exhibit A.

The projected revenue, expenditures, and cash balance, which include capital reserve, for the Districts are as follows:

<u>District</u>	<u>Revenue</u>	<u>Expenditures</u>	<u>Projected Reserve Fund Balance as of 7/1/20*</u>
1	\$87,841	\$155,218	(\$225)

*The Projected Reserve Fund Balance is the total of the Capital Replacement Reserve plus the Operating Reserve.

Moving forward, the City may be required to reduce maintenance levels in District No. 1, or find alternative funding sources to maintain previous years’ level of maintenance.

Alternatives:

1. Council may direct the modification of the assessment amounts which will affect future revenue and expenditure amounts in FY 19/20, or cancel the District and find alternative funding sources to maintain the landscaping.
2. Council may direct City staff to follow legal procedures in order to modify District No. 1 to include COLA provisions.

Recommendation:

A. Adopt the following resolutions to continue the Maintenance District, pursuant to the Landscaping and Lighting Act of 1972:

- Resolution Describing Improvements and Ordering the Engineer of Work to File a Report with Regard to Yuba City Landscape Maintenance District No. 1
- Resolution Directing Filing of Annual Report, Yuba City Landscape Maintenance District No. 1
- Resolution of Intention to Order Improvements, Yuba City Landscape Maintenance District No. 1

B. Set a public hearing for August 20, 2019 at 6:00 PM to establish assessments for FY 19/20

Attachments:

1. Resolutions
2. Proposed Assessments
3. District Maps

Prepared by:

/s/ Joshua G.T. Wolfe
Joshua G. T. Wolfe
Assistant Engineer

Submitted by:

/s/ Diana Langley
Diana Langley
Interim City Manager

Reviewed by:

Department Head

BM

Finance

RB

City Attorney

SLC by email

ATTACHMENT 1

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
DESCRIBING IMPROVEMENTS AND ORDERING THE ENGINEER OF WORK TO
FILE A REPORT WITH REGARD TO YUBA CITY LANDSCAPE MAINTENANCE
DISTRICT NO. 1 (STABLER LANE/GARDEN HIGHWAY AREA) FOR THE 2019-
2020 FISCAL YEAR**

WHEREAS, the City of Yuba City is a municipal corporation duly created and existing pursuant to the Constitution and laws of the State of California; and

WHEREAS, the Landscaping and Lighting Act of 1972 requires the review of annual assessment of existing Districts; and

WHEREAS, Landscape Maintenance District No. 1 has been formed pursuant to the Landscaping and Lighting Act of 1972, and has been brought into compliance with Proposition 218; and

WHEREAS, the City Council of the City of Yuba City desires that assessments be levied and collected in said assessment district for the 2019-2020 Fiscal Year in accordance with Chapter 3 (commencing with Section 22620) of Part 2 of Division 15 of the Streets and Highways Code of the State of California; and

WHEREAS, the City Council wishes to secure an engineer's report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California.

NOW, THEREFORE, be it resolved by the City Council of Yuba City as follows:

1. There are no proposed new improvements or any substantial changes in existing improvements for Landscape Maintenance District No. 1. The City Engineer is hereby ordered to prepare and file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Streets and Highways Code of the State of California for Fiscal Year 2019-2020 Landscape Maintenance District No. 1 assessments.
2. This Resolution shall take effect immediately.

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 16th day of July, 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

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
DIRECTING FILING OF THE ANNUAL REPORT FOR THE YUBA CITY LANDSCAPE
MAINTENANCE DISTRICT NO. 1 (STABLER LANE/GARDEN HIGHWAY AREA)**
(Pursuant to the Landscaping and Lighting Act of 1972)

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

WHEREAS, Richard Kopecky, the person designated by this Council as the Engineer of Work for the Yuba City Landscape Maintenance District No. 1, is hereby directed to file the Fiscal Year 2019-2020 annual report in accordance with the provisions of the Landscaping and Lighting Act of 1972; and

WHEREAS, this resolution is adopted pursuant to Section 22622 of the Streets and Highways Code.

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 16th day of July, 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

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY
FOR THE INTENTION TO ORDER IMPROVEMENTS YUBA CITY LANDSCAPE
MAINTENANCE DISTRICT NO. 1 (STABLER LANE/GARDEN HIGHWAY AREA)**

(Pursuant to the Landscaping and Lighting Act of 1972)

BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF YUBA CITY AS FOLLOWS:

WHEREAS, the City Council intends to levy and collect assessments within Yuba City Landscape Maintenance District No. 1 for Fiscal Year 2019-2020. The area of land to be assessed is located in the City of Yuba City, Sutter County; and

WHEREAS, the proposed assessments for the improvements to be made in these assessment districts are for maintaining the landscaping within the subdivisions listed as follows:

Landscape Maintenance District No. 1

Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	North Stabler Lane affecting Greenwood Acres 1 and 4, Oak Tree Estates, Pheasant Pointe Subdivisions, and Greenwood Estate Unit 7	\$56.72 per single family parcel
B	South Yuba City affecting Southland Village Unit 5, River Bend, Southwind, River Oaks, River Run, Walnut Glen, Southpoint, and River Pointe Subdivisions	\$29.50 per single family parcel
B_1	1288 Garden Highway	\$30.53

WHEREAS, in accordance with this Council's resolution directing the filing of the annual report, Richard Kopecky with Willdan Financial Services, Engineer of Work, has filed with the City Clerk the report required by the Landscaping and Lighting Act of 1972. All interested persons are referred to the report for a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments upon assessable lots and parcels of land within the assessment district, or may call Willdan Financial Services at (951) 587-3500; and

WHEREAS, on the 20th day of August, 2019, at the hour of 6:00 o'clock P.M., the City Council will conduct a Public Hearing on the question of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located at City Hall, 1201 Civic Center Boulevard, Yuba City, California; and

WHEREAS, the City Clerk is authorized and directed to give notice of said hearing required by Government Code Section 6066.

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 16th day of July, 2019.

AYES:

NOES:

ABSENT:

Shon Harris, Mayor

ATTEST:

Patricia Buckland, City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

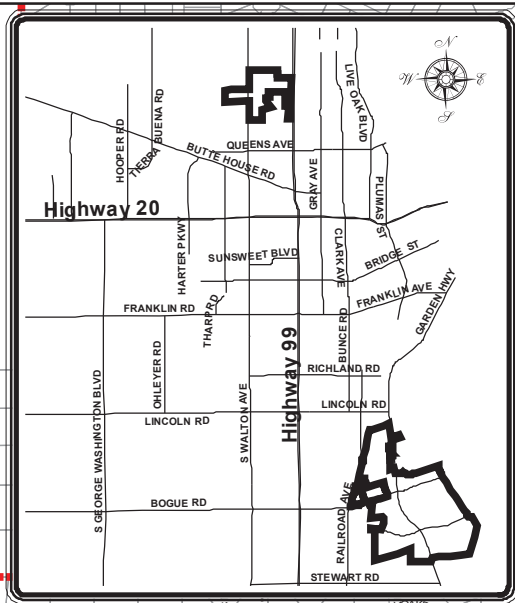
Shannon L. Chaffin, City Attorney
Aleshire & Wynder, LLP

ATTACHMENT 2



EXHIBIT A

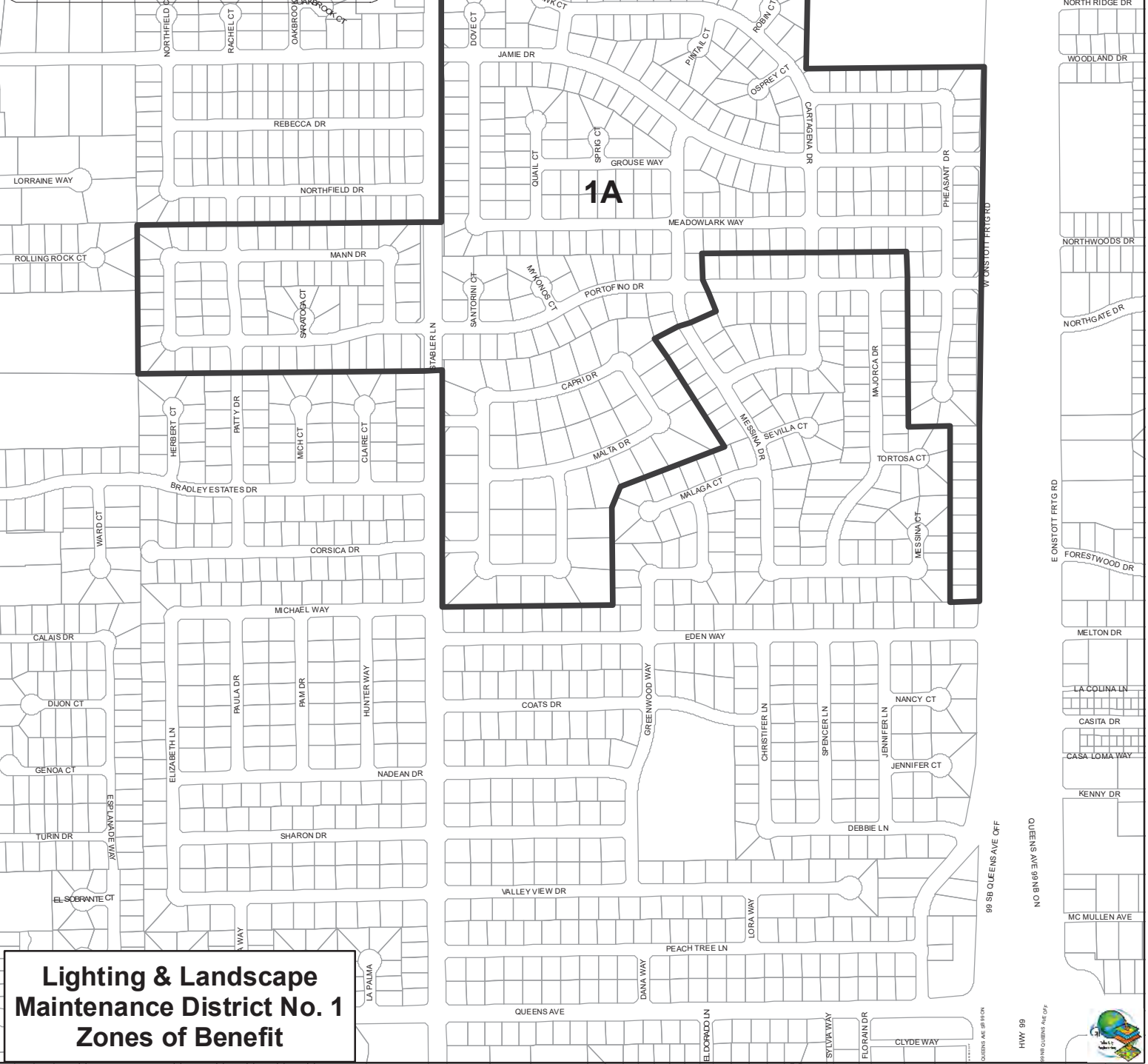
District	Zone of Benefit	FY 2019/20 Proposed Levy Rate (\$)	Change From Previous Year (\$)	Maximum Levy Rate Allowed (\$)
1	A	\$56.72	\$0.00	\$56.72
	B	\$29.50	\$0.00	\$29.50
	B_1	\$30.53	\$0.00	\$30.53

ATTACHMENT 3



Legend

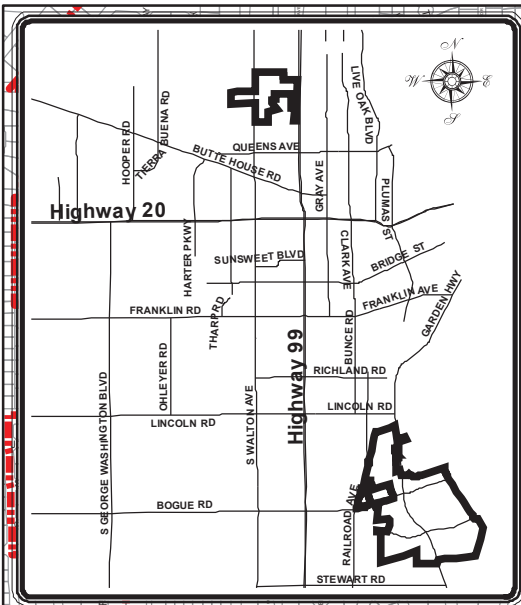
-  Maintenance Districts
-  City Limits



**Lighting & Landscape
Maintenance District No. 1
Zones of Benefit**

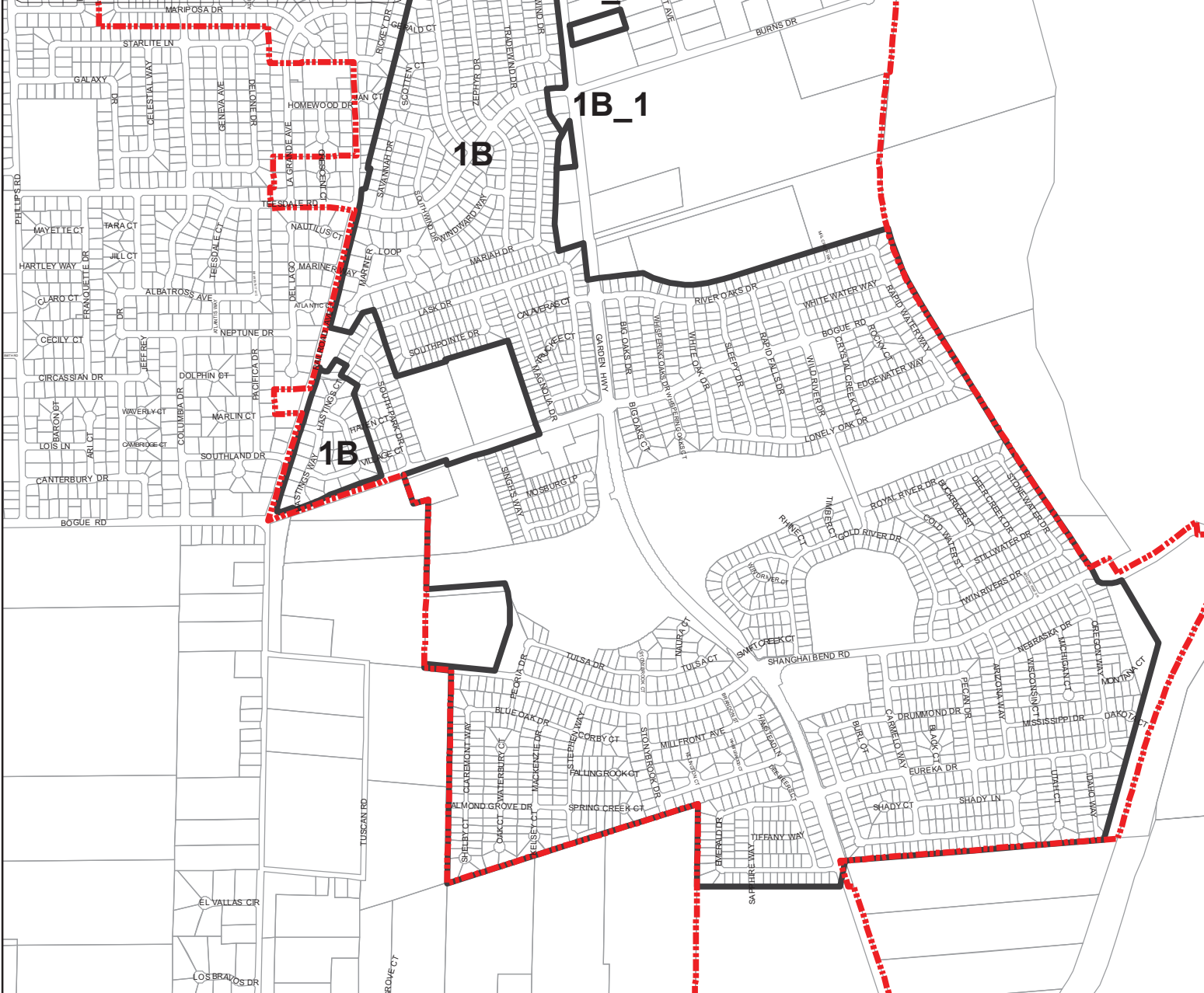
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QUEENS AVE 99 58 ON
HWY 99
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Legend

- Maintenance Districts
- City Limits



**Lighting & Landscape
Maintenance District No. 1
Zones of Benefit**

