

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

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**Summary**

**Subject:** Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4 & 5 (Town Center and 69 Subdivisions throughout Yuba City), and Yuba City Lighting and Landscape Maintenance District No. 6 (Commercial District) Resolution of Intent

**Recommendation:** A. Adopt the following resolutions to continue the Maintenance Districts, 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 Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6
- Resolution Directing Filing of Annual Report, Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6
- Resolution of Intention to Order Improvements, Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6

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 lighting and landscape maintenance districts throughout the City.

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**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 and lighting improvements that provide special benefit to the parcels identified in Lighting and Landscape Maintenance Districts 2-6. The assessments were approved by the property owners of record through a protest-ballot proceeding at the time the Districts were formed.

District Nos. 2 (Town Square Area); 3, 4, and 5 (69 subdivisions located throughout the City); and 6 (several commercial areas throughout the City) have provisions for a COLA, which is based on the Consumer Price Index from January to January.

Staff has analyzed the Districts 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 Reports have been prepared and are on file in the City Clerk’s office. They describe each District, the improvements therein, the method of assessment, and the proposed assessment for each parcel. The Resolution directing the filing of the Annual Reports and the Resolution of Intention to order improvements are required by State law to continue the Districts. 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.

District Nos. 2 and 5 experienced a higher cost of maintenance in FY 18/19 due to a heightened number of requests to perform tree maintenance within the Districts. These requests outpaced the COLA provisions which caused the expenditures to exceed the revenues within the Districts.

District Nos. 2, 3, 4, 5 and 6 will see increases in their annual levies. The levies were raised in response to inflation and a renewed focus by the City to improve maintenance in the maintained areas.

**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>
2	\$77,888	\$76,419	(\$334)
3	\$10,000	\$10,055	\$17,119
4	\$150,353	\$148,790	\$88,884
5	\$456,562	\$515,489	\$398,752
6	\$24,924	\$20,622	\$107,005

\*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 Zones of Benefit 2A, and 5B, or find alternative funding sources to maintain previous years’ level of maintenance.

**Alternatives:**

Council may direct the modification of the assessment amounts which will affect future revenue and expenditure amounts in FY 19/20, or cancel the Districts and find alternative funding sources to maintain the streetlights and/or landscaping.

**Recommendation:**

A. Adopt the following resolutions to continue the Maintenance Districts, 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 Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6
- Resolution Directing Filing of Annual Report, Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6
- Resolution of Intention to Order Improvements, Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5 and 6

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 LIGHTING AND LANDSCAPE MAINTENANCE  
DISTRICT NOS. 2, 3, 4, & 5 (TOWN CENTER AND 69 SUBDIVISIONS THROUGHOUT YUBA  
CITY) AND YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6  
(COMMERCIAL DISTRICT) 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**, Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6 have been formed pursuant to the Landscaping and Lighting Act of 1972, and have 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 districts 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 Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6. The City Engineer is hereby ordered to prepare and file reports 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 Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6 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 16<sup>th</sup> day of July, 2019.

AYES:

NOES:

ABSENT:

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Shon Harris, Mayor

ATTEST:

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Patricia Buckland, City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY:

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Shannon 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 LIGHTING AND  
LANDSCAPE MAINTENANCE DISTRICT NOS. 2, 3, 4, & 5 (TOWN CENTER AND 69  
SUBDIVISIONS THROUGHOUT YUBA CITY) AND YUBA CITY LIGHTING AND  
LANDSCAPE MAINTENANCE DISTRICT NO. 6 (COMMERCIAL DISTRICT)**

(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 Lighting and Landscape Maintenance Districts 2-6, 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 16<sup>th</sup> day of July, 2019.

AYES:

NOES:

ABSENT:

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

ATTEST:

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

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY:

\_\_\_\_\_  
Shannon 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 LIGHTING AND  
LANDSCAPE MAINTENANCE DISTRICT NOS. 2, 3, 4, & 5 (TOWN CENTER AND 69  
SUBDIVISIONS THROUGHOUT YUBA CITY) AND YUBA CITY LIGHTING AND  
LANDSCAPE MAINTENANCE DISTRICT NO. 6 (COMMERCIAL DISTRICT)**

(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 Lighting and Landscape Maintenance Districts No. 2-6 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 and lighting within the following Zones of Benefit:

<b>Lighting and Landscape Maintenance District No. 2</b>		
Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	Parcels in the Town Center area fronting on Plumas Blvd., B Street, C Street, Percy Avenue, and the north side of Franklin Avenue	\$579.74

<b>Lighting and Landscape Maintenance District No. 3</b>		
Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	Palisades Subdivision	\$113.64

<b>Lighting and Landscape Maintenance District No. 4</b>		
Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	Regency Park Estates Unit 1	\$261.48
B	Regency Park Estates Unit 2	\$261.48
C	Regency Park Estates Unit 3 and Butte Vista West Estates Units 1, 2, & 3	\$261.48
D	Butte Vista Estates Units 1 & 2, Stabler Park Estates Units 1 & 2, Tres Picos Estates, and Tres Picos West Estates	\$261.48



<b>Lighting and Landscape Maintenance District No. 5</b>		
Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A	South Park Village	\$210.33
B	South Park Village, Rai Estates 1 & 2, Sutter Cottages, Garden Gate Estates, Phillips Estates, and Fletcher Place	\$70.61
C	Wheeler Estates, Graystone Manor, Hillcrest Courtyard, Onstott Estates, Almond Grove Estates Units 1, 2, & 3, Walnut Glen Estates East 1 & 2, Diamond Pointe, Siena Estates, Bay Drive Estates Unit 2, and Siena Estates West	\$101.28
D	Walton Station	\$101.29
E	Walton Station (w/out street trees)	\$86.45
F	Park Vista	\$101.26
G	Park Vista (w/out street trees)	\$53.18
H	Phalla Estates, Bay Drive Estates 1, Daytona Estates, Hetherington Place, and Hampton Court	\$34.17
I	Masera Ranch Subdivision 2 and Shankar Village	\$71.65
J	Sutter Buttes Estates Units 1 & 2, North/South Butte Village, Signature Estates Unit 1, Summerhill Estates, Sanborn Place South Estates, Westbrook, Rolling Rock Estates, Westside Estates, and Karnegis Estates 2	\$98.02
K 1-17	Hunji Village Units 1 & 2, Franklin Road Estates, Temple Village, Bridge Street Village, Del Monte Ranch Units 2 & 3, Bridge Street Estates, River Valley Estates, Walnut Park 1 & 2, Canterbury Estates 1-4, North Canterbury Estates 1 & 2, Teal Hollow Unit 1, and Domain Estates	\$220.47
K 18	Valencia Estates	\$221.02
L	Richland Ranch	\$126.60

<b>Lighting and Landscape Maintenance District No. 6</b>
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Zone of Benefit	Area and Affected Subdivisions	Proposed Assessment
A_1	River Valley Commercial	\$292.78
A_2	Geweke Crossing	\$292.78
A_3	Harter Specific Plan	\$292.78
B_1	La Bella Vita Development	\$470.77
B_2	Cinemark Movie Theater	\$432.55
B_3	Walgreens	\$297.57
B_4	Yuba College	\$1,570.47
B_5	Unity Estates	\$0.00
B_6	Medicine Shoppe Pharmacy	\$86.53
B_7	Plumas Family Apartments	\$86.53
B_8	960 Gray Avenue	\$197.83
B_9	2510 Live Oak Blvd	\$391.65
B_10	Carriage Square	\$127.52
B_12	Hilbers Corporate Headquarters	\$146.97
B_13	Larson Orthodontics	\$133.47

WHEREAS, in accordance with this Council's resolution directing the filing of annual reports, Richard Kopecky with Willdan Financial Services, Engineer of Work, has filed with the City Clerk the reports required by the Landscaping and Lighting Act of 1972. All interested persons are referred to the reports 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 20<sup>th</sup> 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 16<sup>th</sup> day of July, 2019.

AYES:

NOES:

ABSENT:

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Shon Harris, Mayor

ATTEST:

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Patricia Buckland, City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY:

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Shannon Chaffin, City Attorney  
Aleshire & Wynder, LLP

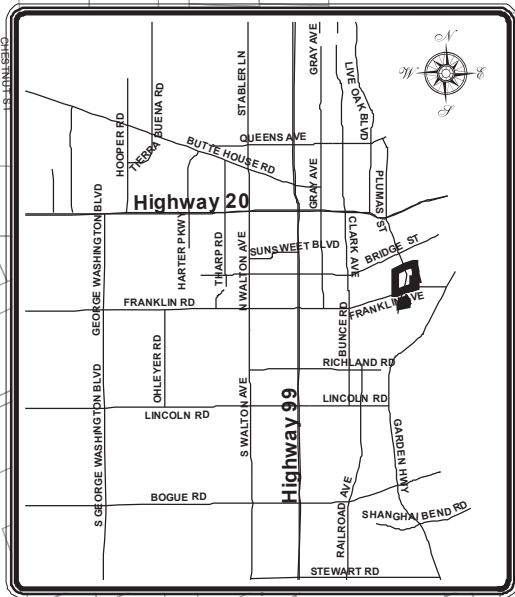
## ATTACHMENT 2

**EXHIBIT A**



District	Zone of Benefit	FY 2019/20 Proposed Levy Rate (\$)	Change From Previous Year (\$)	Maximum Levy Rate Allowed (\$)
2	A	\$579.74	\$8.85	\$579.74
3	A	\$113.64	\$33.10	\$164.86
4	A	\$261.48	\$52.30	\$431.64
	B	\$261.48	\$52.30	\$584.57
	C	\$261.48	\$52.30	\$354.70
	D	\$261.48	\$52.30	\$317.79
5	A	\$210.33	\$64.09	\$210.33
	B	\$70.61	\$10.04	\$70.61
	C	\$101.28	(\$17.01)	\$152.44
	D	\$101.29	\$12.81	\$209.32
	E	\$86.45	\$41.25	\$86.45
	F	\$101.26	\$13.02	\$170.08
	G	\$53.18	\$3.76	\$53.18
	H	\$34.17	\$0.52	\$34.17
	I	\$71.65	\$7.32	\$71.65
	J	\$98.02	\$41.69	\$191.98
	K 1-17	\$220.47	\$42.73	\$271.62
	K 18	\$221.02	\$47.55	\$358.37
	L	\$126.60	\$25.49	\$126.60
6	A_1	\$292.78	\$4.47	\$292.78
	A_2	\$292.78	\$4.47	\$292.78
	A_3	\$292.78	\$4.47	\$292.78
	B_1	\$470.77	\$7.19	\$470.77
District	Zone of Benefit	FY 2019/20 Proposed Levy Rate (\$)	Change From Previous Year (\$)	Maximum Levy Rate Allowed (\$)

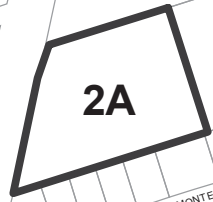
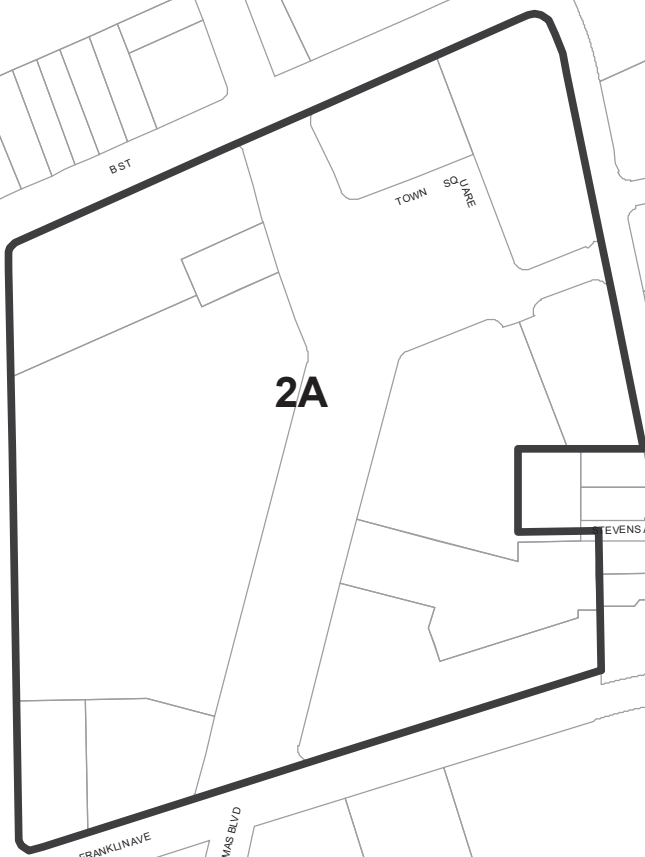
6	B_2	\$432.55	\$6.60	\$432.56
	B_3	\$297.57	\$4.55	\$297.57
	B_4	\$1,570.47	\$23.99	\$1,570.47
	B_5	\$0.00	\$0.00	\$448.71
	B_6	\$86.53	\$1.32	\$86.53
	B_7	\$86.53	\$1.32	\$86.53
	B_8	\$197.83	\$3.02	\$197.83
	B_9	\$391.65	\$5.98	\$391.65
	B_10	\$127.52	N/A	\$127.52
	B_12	\$146.97	N/A	\$146.97
	B_13	\$133.47	N/A	\$133.47

# ATTACHMENT 3



**Legend**

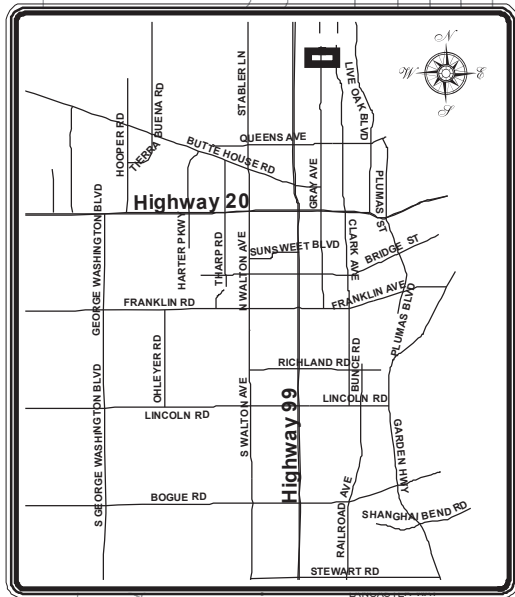
-  Maintenance Districts
-  City Limits




**Lighting & Landscape  
Maintenance District No. 2  
Zones of Benefit**



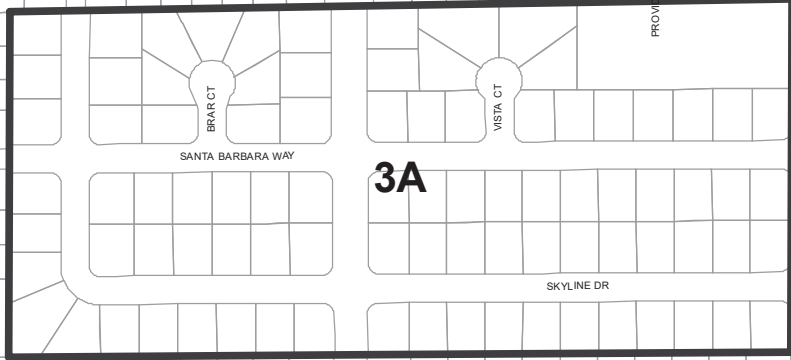




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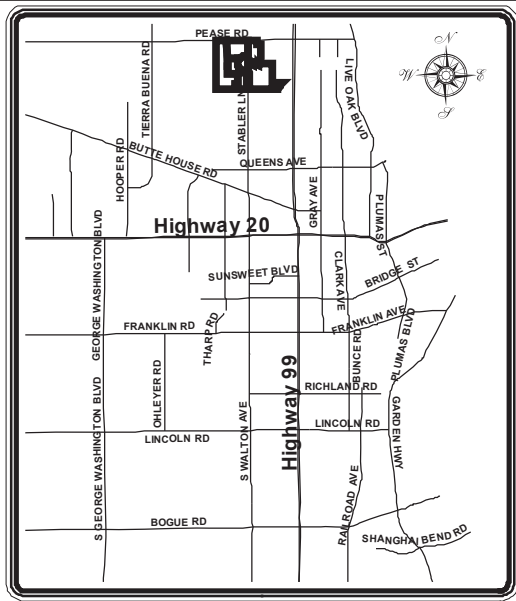
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-  City Limits

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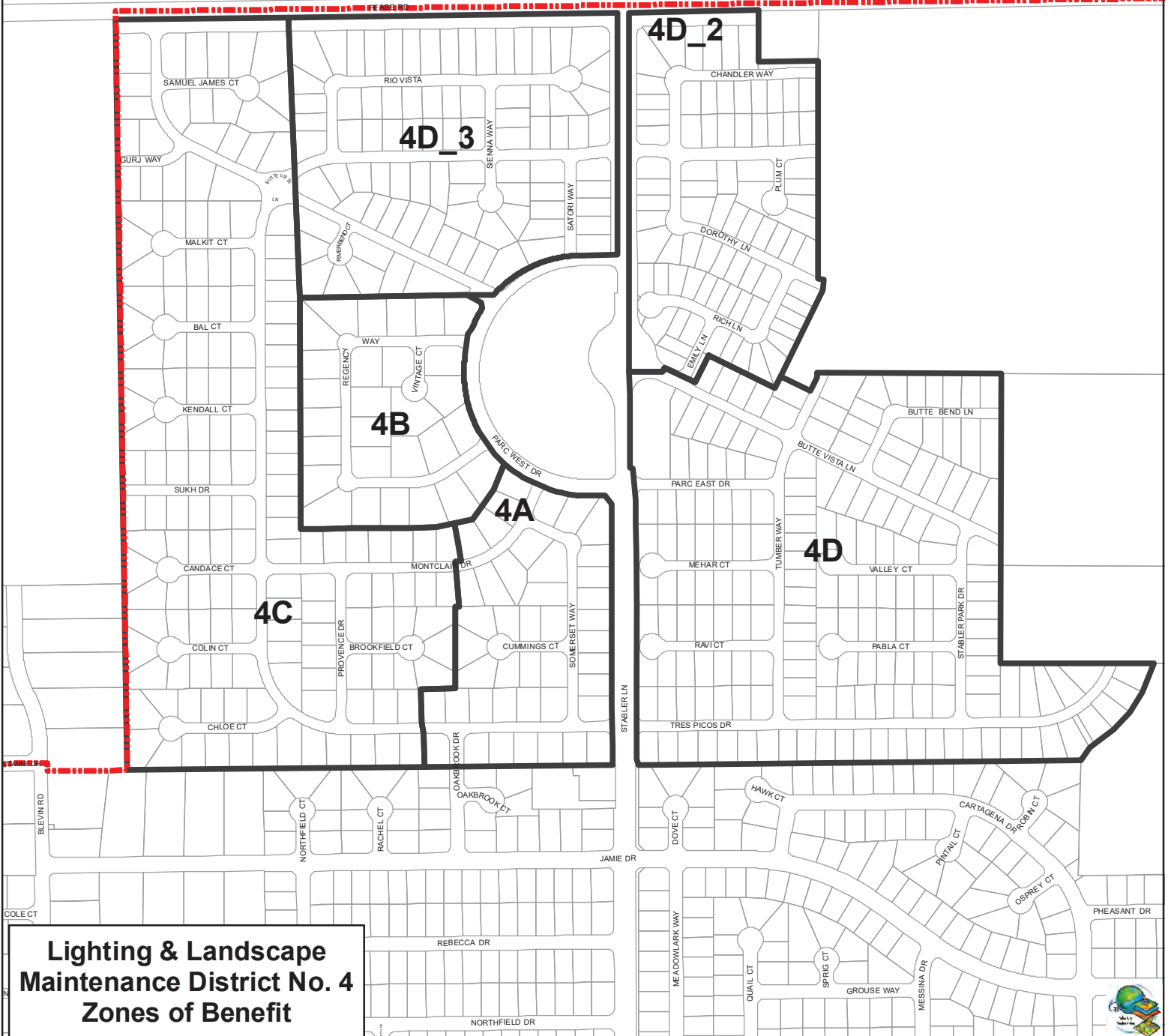
**Lighting & Landscape  
Maintenance District No. 3  
Zones of Benefit**





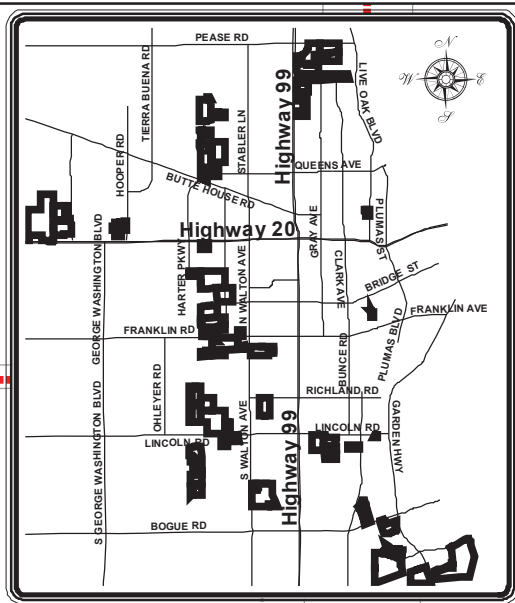
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- Maintenance Districts
- City Limits



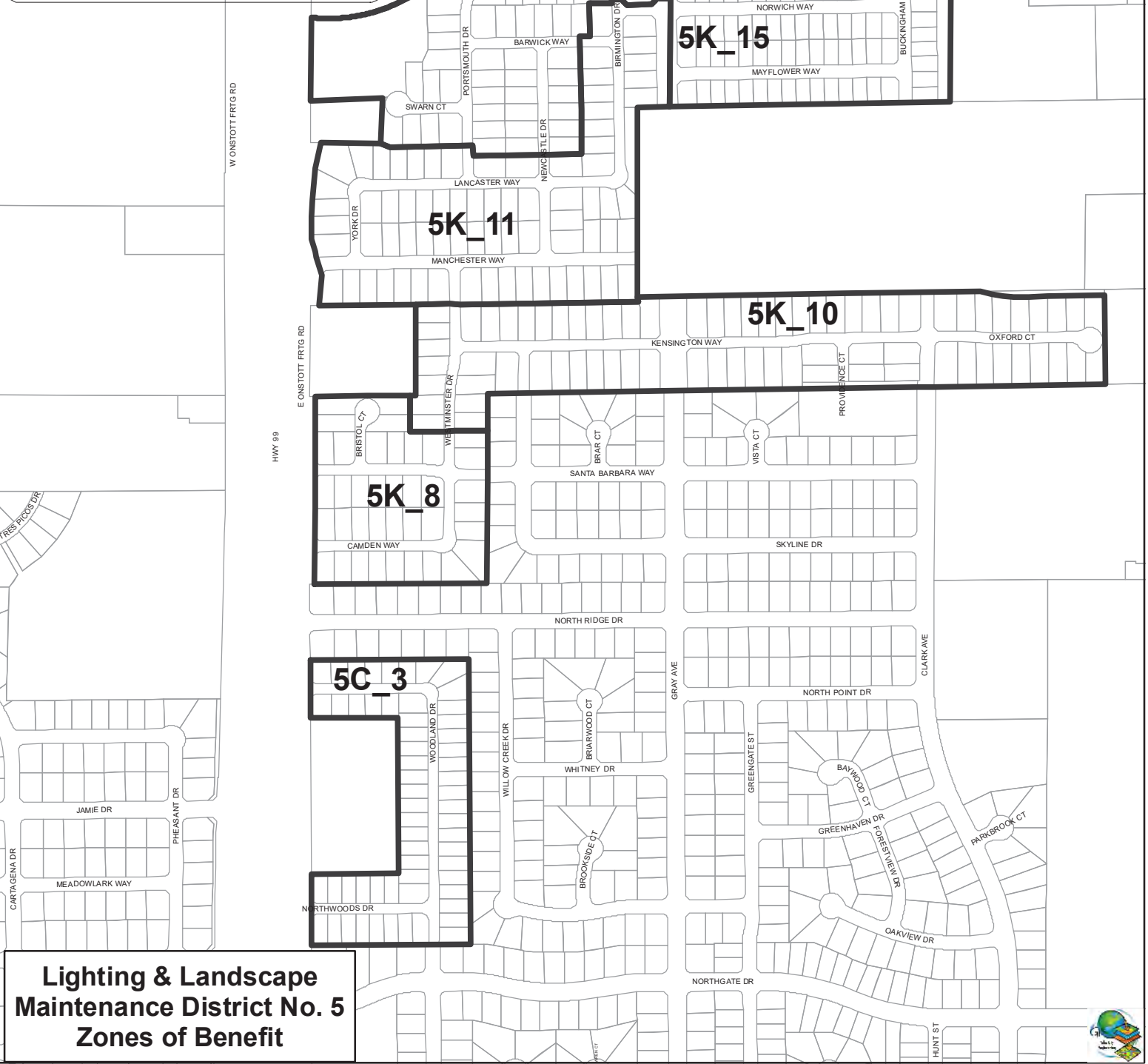
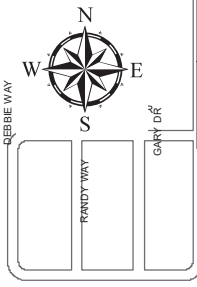
**Lighting & Landscape  
Maintenance District No. 4  
Zones of Benefit**





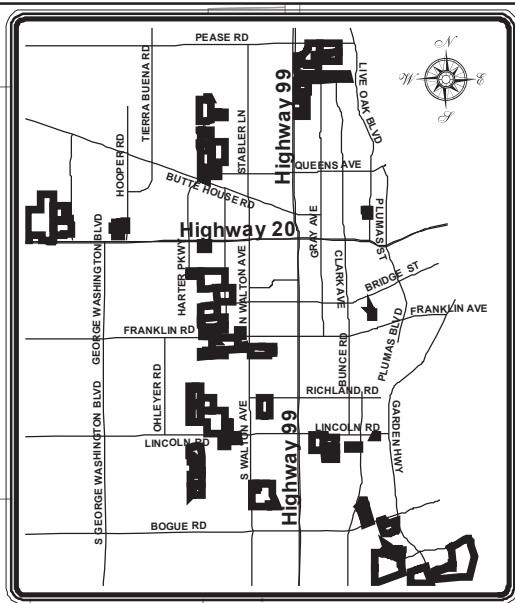
**Legend**

- Maintenance Districts
- City Limits





**Lighting & Landscape  
Maintenance District No. 5  
Zones of Benefit**





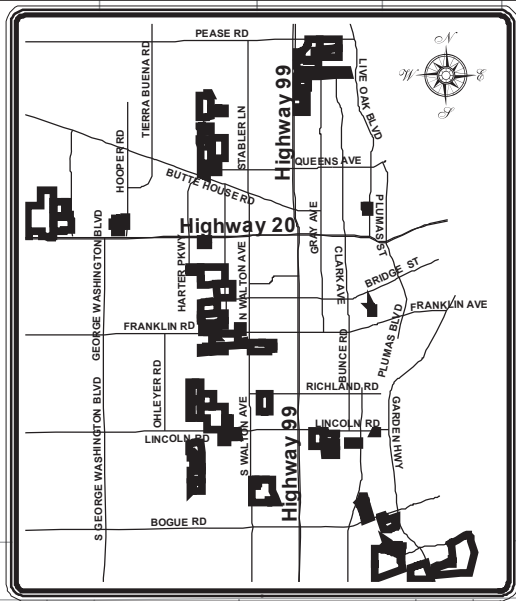
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-  Maintenance Districts
-  City Limits



**Lighting & Landscape  
Maintenance District No. 5  
Zones of Benefit**

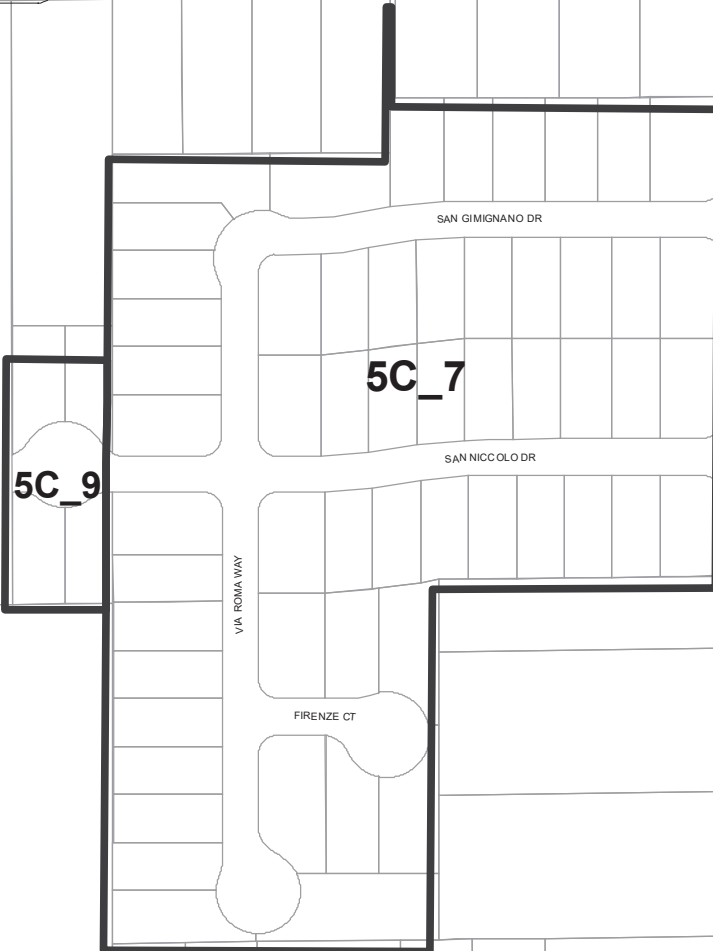




**Legend**

- Maintenance Districts
- City Limits

MONROE RD



HOOPER RD

COLUSA FRONTAGE RD

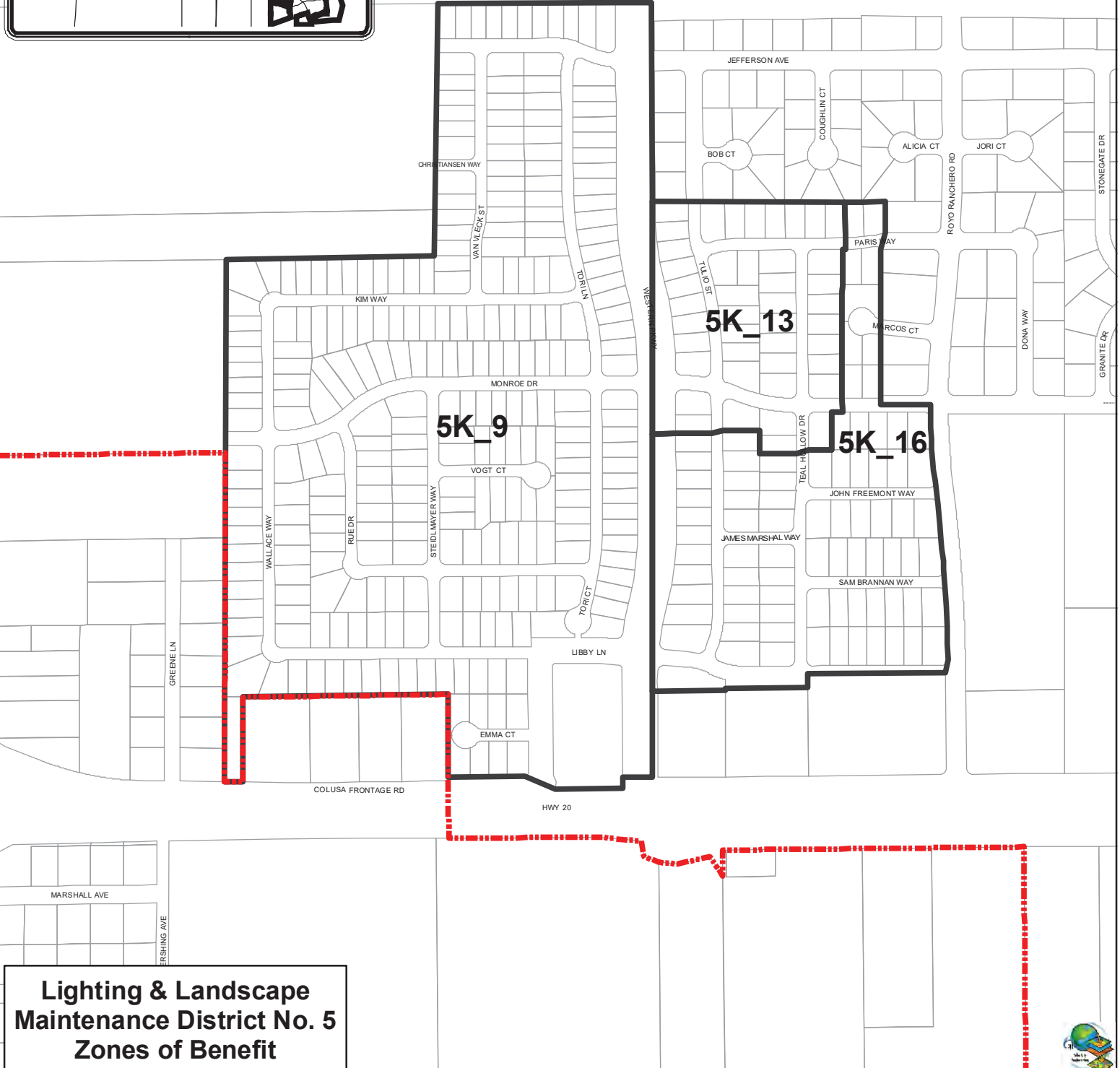
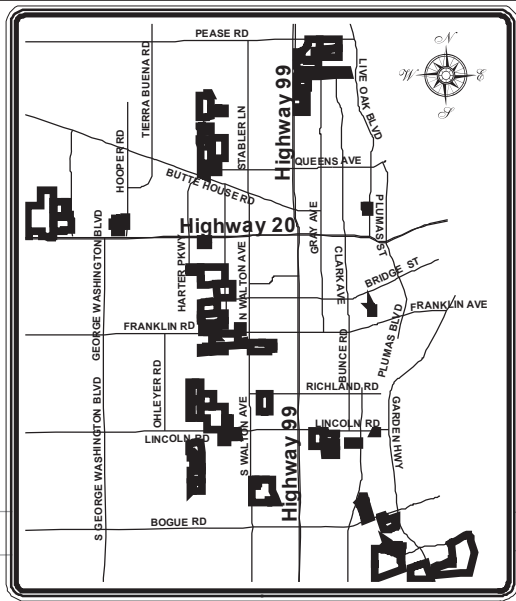
HWY 20

WASHINGTON BLVD

MILLER RD

**Lighting & Landscape  
Maintenance District No. 5  
Zones of Benefit**





**Lighting & Landscape  
Maintenance District No. 5  
Zones of Benefit**



HARTER RD  
SPIRIT DR  
HARTER PKWY

HWY 20



**Legend**

- Maintenance Districts
- City Limits

**5H\_8**

SIERRA AVE

**5K\_9**

**5K\_5**

RYAN DR  
CARSON DR  
REDAVEN AVE  
SANTO CT  
MONTE AVE  
DAVIS AVE  
BOYD CT  
ROSS DR  
KRAMT CT  
THARP RD  
ANDROSS AVE

**5K\_7**

EMMET WAY  
TRAVIS CT  
LACHARY WAY  
MARK THOMAS DR

**5K\_4**

HARBANS DR  
EVEREST CT  
DEERFIELD DR  
AVARRAL CT

**5K\_1**

HARDIAL DR  
HUNJI DR  
GERDAS CT  
N OLIVER DR  
HARDIAL CT

**5K\_3**

**5H\_3**

**5B\_1**

**5K\_6**

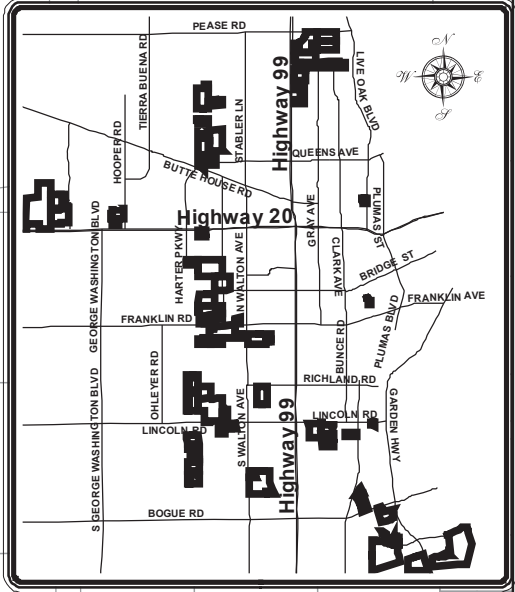
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LAMBERT CT  
OLIVER DR  
JASON CT  
RALESTATES CT  
YORKSHIRE WAY  
BRISTOL WAY  
COLLEGE HILL WAY  
NANTUCKET WAY  
BARRINGTON DR  
SASSA DR

**5H\_1**

**5D**

**5E**

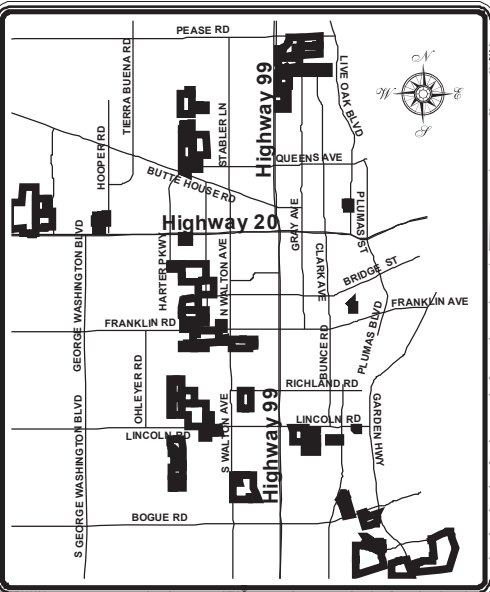
COUNTRYSIDE DR  
BERKSHIRE DR





**Lighting & Landscape  
Maintenance District No. 5  
Zones of Benefit**







**Legend**

-  Maintenance Districts
-  City Limits



**5J\_13**

**5J\_6**

**5I\_2**

**5I\_1**

**5I\_3**

**5H\_2**

**5H\_7**

**5J\_1**

**5J\_4**

**5J\_5**

**5H\_4**

**5C\_8**

**5L**

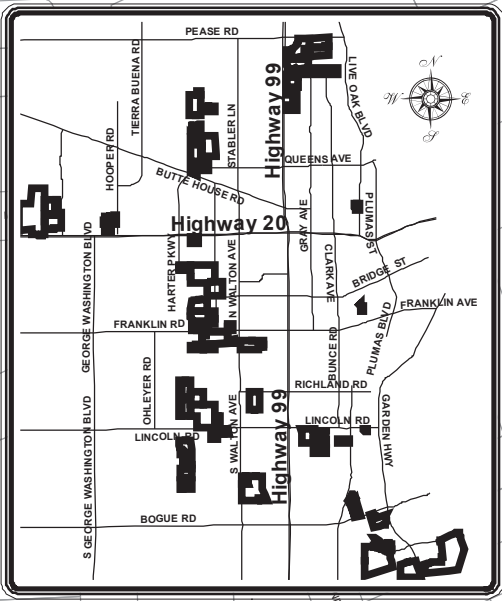
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**5K\_17**



**Lighting & Landscape  
Maintenance District No. 5  
Zones of Benefit**

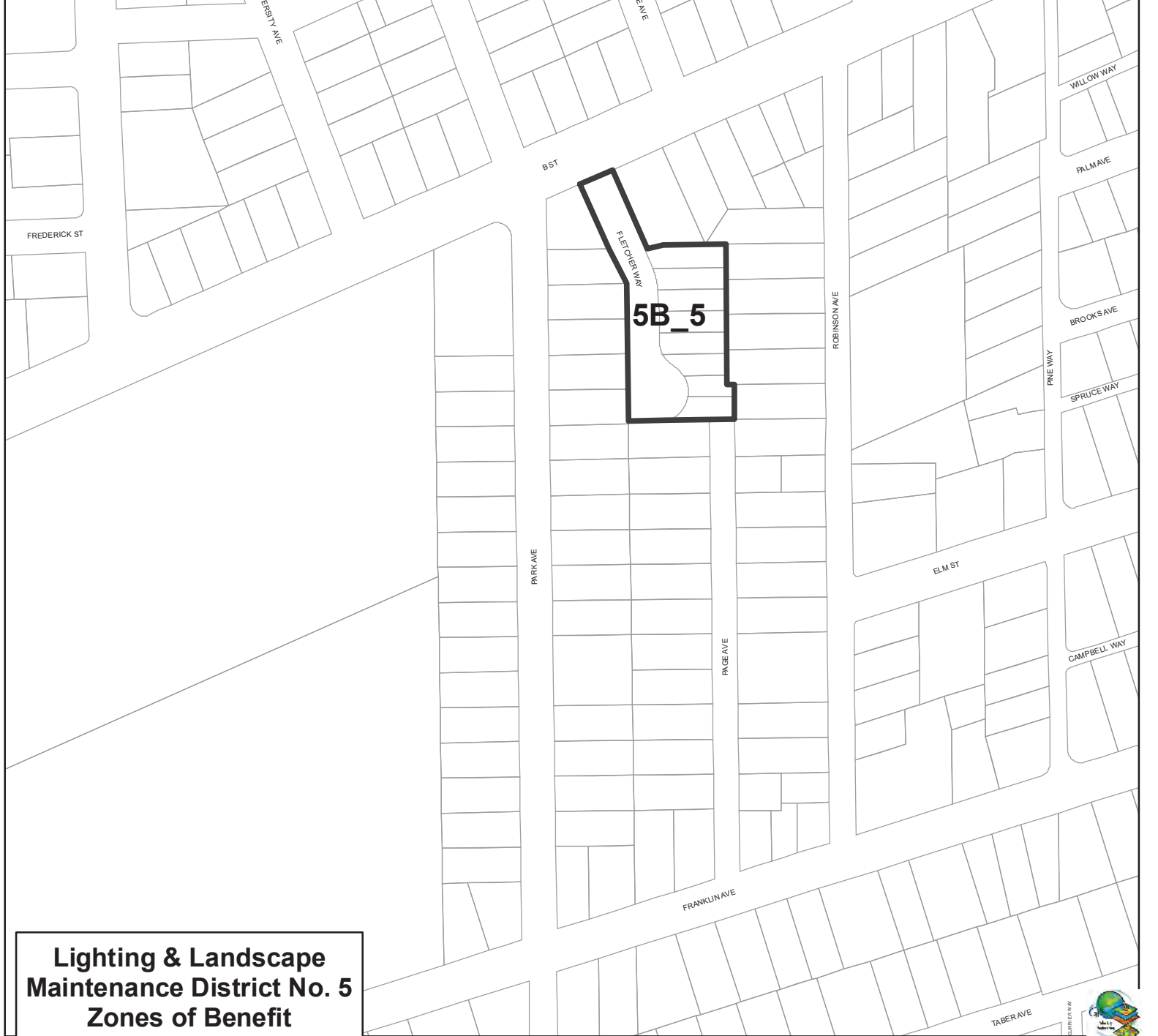




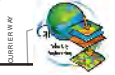


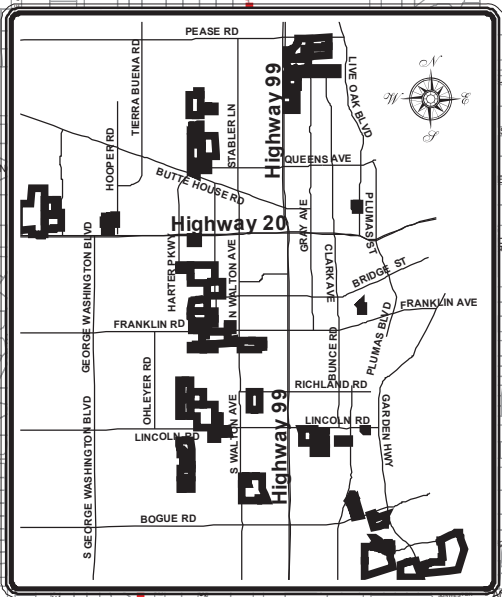
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-  City Limits



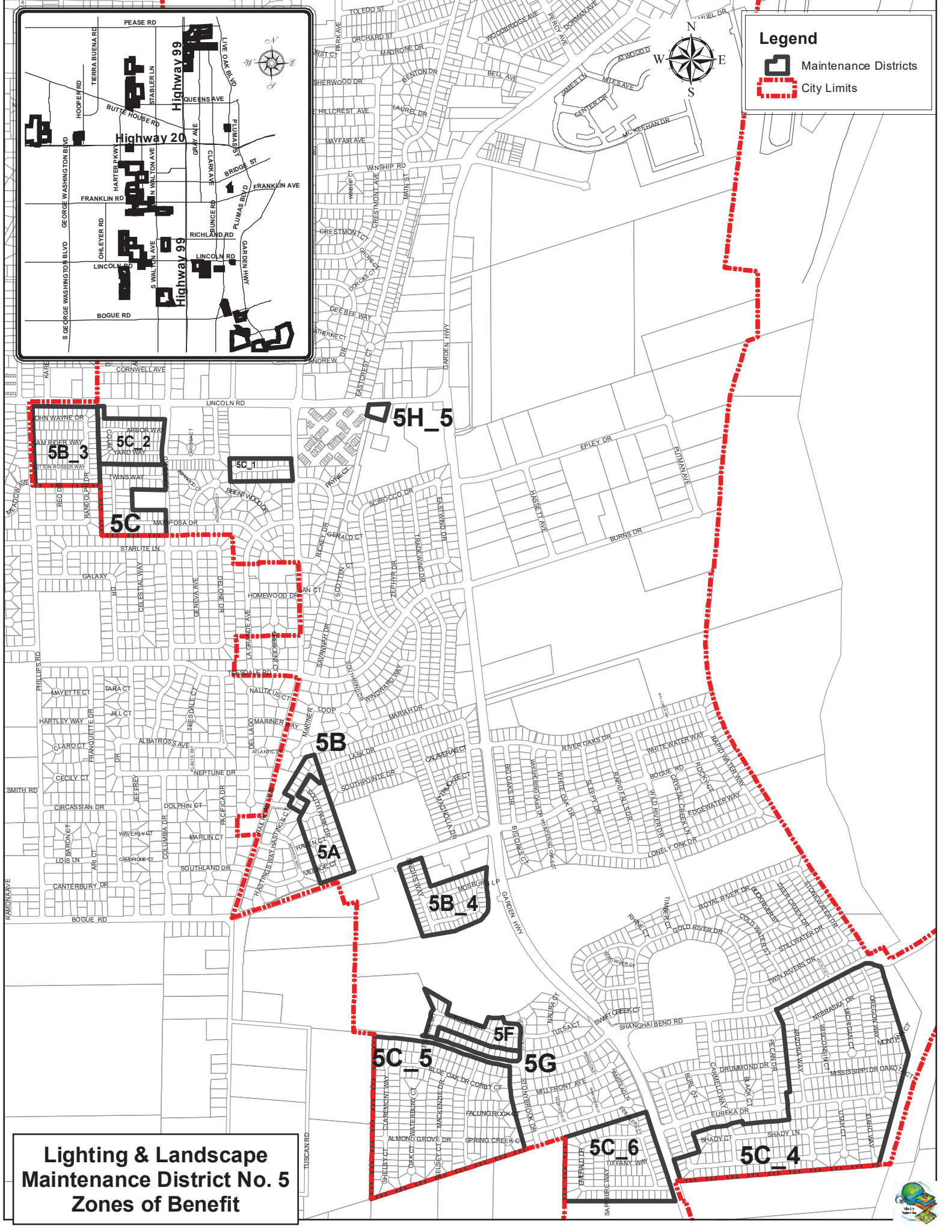
**Lighting & Landscape  
Maintenance District No. 5  
Zones of Benefit**





**Legend**

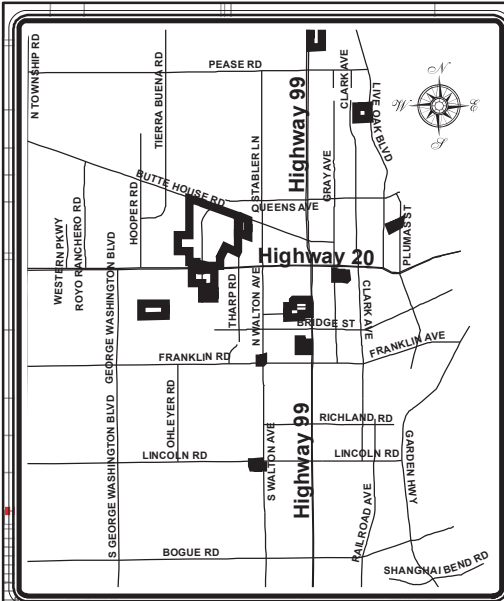
- Maintenance Districts
- City Limits



**Lighting & Landscape  
Maintenance District No. 5  
Zones of Benefit**

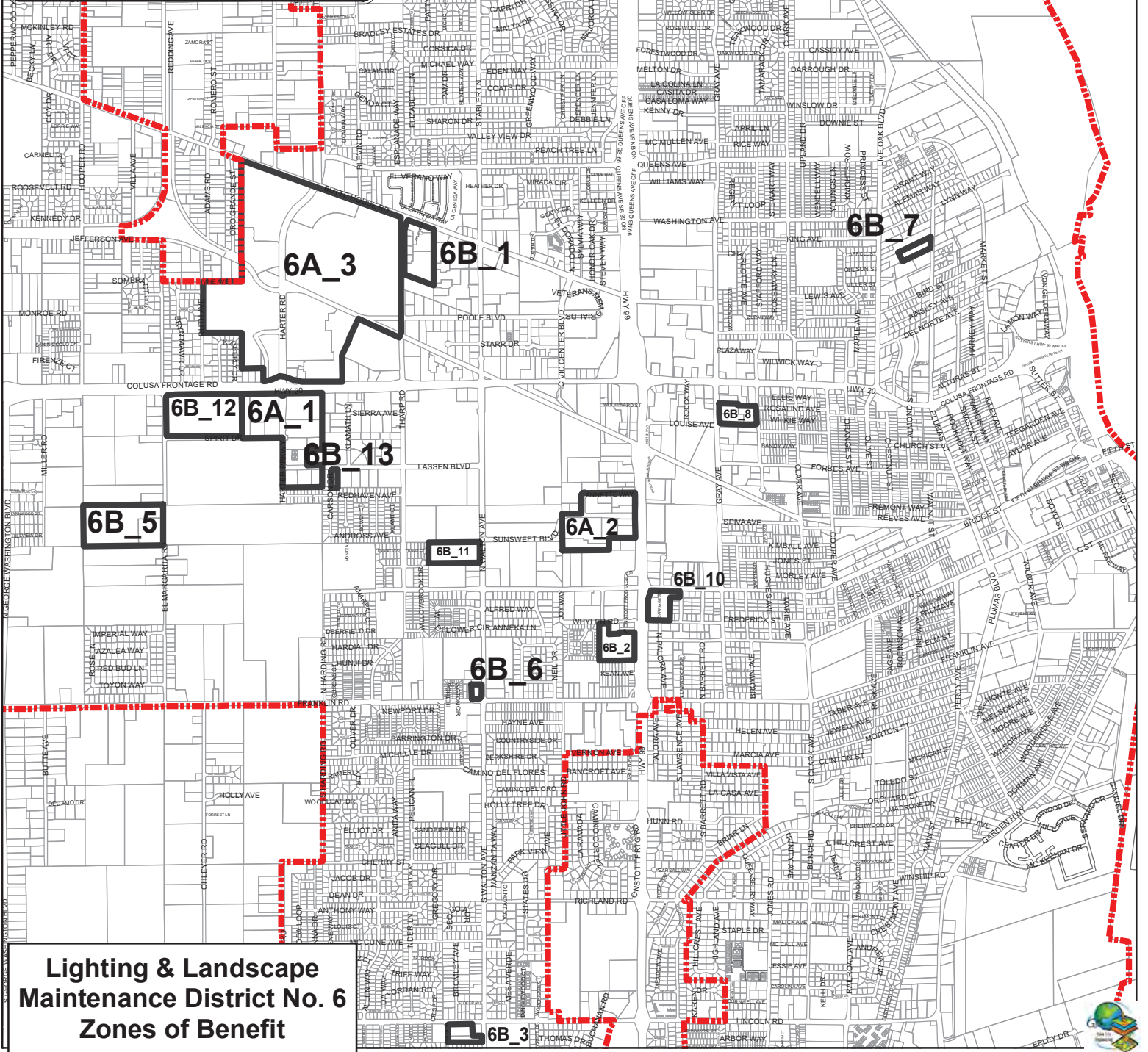






**Legend**

- Maintenance Districts
- City Limits



**Lighting & Landscape  
Maintenance District No. 6  
Zones of Benefit**

