

CITY OF YUBA CITY  
STAFF REPORT

**Date:** June 7, 2022  
**To:** Honorable Mayor & Members of the City Council  
**From:** Public Works Department  
**Presentation By:** Ben Moody, Public Works & Development Services Director

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**Summary**

**Subject:** Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K\_18 (Domain Estates – Unit III)

**Recommendation:** Adopt a Resolution confirming and ordering annexation of the parcel associated with the Domain Estates – Unit III Development, APN 59-530-027 into the existing Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K\_18 and establishing a levy of assessments for the annexed territory

**Fiscal Impact:** \$342.94 per lot, \$4,458.22 total annual revenue, with an inflation index

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**Purpose:**

To fund the ongoing operation, maintenance, and administration of street lighting, street trees, landscaping materials, irrigation systems, block walls and street-end barricades.

**Council Strategic Goal:**

Annexing this subdivision into a Lighting and Landscape Maintenance District (LLMD) addresses the City Council's Strategic Goal of maintaining infrastructure, as the LLMD will ensure that street lighting, landscaping and associated items, block walls, and street-end barricades are maintained and in operation.

**Background:**

The existing LLMD No. 5, Zone of Benefit K\_18 was established in 2017 for the Valencia Estates subdivision, with a fee per parcel for the operation and maintenance costs associated with street lighting, street trees, landscape medians, landscape strips, and landscape planters with block walls. The fee per parcel for Zone of Benefit K\_18 was determined based on annual maintenance costs for the aforementioned items associated with the Valencia Estates Subdivision.

Currently the Domain Estates – Unit III Development at Assessor's Parcel Number (APN) 59-530-027 is requesting to be included into this Zone of Benefit, to satisfy conditions of approval for Tentative Map (TM 20-05). Additionally, the subject parcel is planned to be split into 13 parcels. In order to determine what the assessment will be for these 13 parcels, the original assessment for Zone of Benefit K\_18 will need to be increased to today's dollars using the Consumer Price Index (CPI).

The City has created and modified several LLMDs to encompass a number of commercial projects and subdivisions over the past few years. The process of annexing to an existing District consists of adopting multiple City Council Resolutions, holding Public Hearings, and observing rights of majority protests.

**Analysis:**

The Public Notice procedure can be waived and an expedited process can be substituted at the request of the property owners requesting to be annexed into the District. The authorized representatives of the Domain Estates – Unit III Development have requested to waive the Public Hearing proceedings, which has allowed the City to utilize the expedited process in order to annex the parcels associated with the Domain Estates – Unit III Development into the existing LLMD No. 5, Zone of Benefit K\_18.

The expedited process consists of the City Council adopting a single Resolution which confirms and orders the annexation of the new territory into the existing Zone of Benefit and order 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 streetlights, and maintain street trees, landscaping materials, and irrigation systems 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.

**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. 5 Zone of Benefit K\_18 has determined that the annual assessed amount for the parcels being annexed into the Zone of Benefit is \$342.94 per lot, or \$4,458.22 total annually, and is subject to an annual inflation increase.

**Alternatives:**

1. Do not adopt the following Resolution and fund the operation and maintenance of the street lighting, street trees, landscape medians, landscape strips, and landscape planters with block walls from alternate sources.
2. Direct staff to begin the typical longform Lighting and Landscape Maintenance District annexation procedure.

**Recommendation:**

Adopt a Resolution confirming and ordering annexation of the parcel associated with the Domain Estates – Unit III Development, APN 59-530-027 into the existing Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K\_18 and establishing a levy of assessments for the annexed territory.

**Attachments:**

1. Resolution – Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K\_18 (Domain Estates – Unit III) with Exhibits
2. Engineer’s Report – LLMD No. 5, Zone of Benefit K\_18

3. Waive Public Hearing Letter - Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K\_18 (Domain Estates – Unit III)

Prepared By:  
Josh Wolffe  
Associate Civil Engineer

Submitted By:  
Diana Langley  
City Manager

# ATTACHMENT 1

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
CONFIRMING AND ORDERING ANNEXATION OF THE PARCELS  
ASSOCIATED WITH THE DOMAIN ESTATES – UNIT III  
DEVELOPMENT, APN 59-530-027, INTO THE EXISTING YUBA CITY  
LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 5, ZONE  
OF BENEFIT K\_18 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. 5, and has levied and collected the annual assessments for said District No. 5; and

WHEREAS, assessments levied within the District provide 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, street trees, landscaping materials, and irrigation systems; and

WHEREAS, certain property owners have requested their property to be annexed into District No. 5, Zone of Benefit K\_18; 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. 5; designate the portion of the annexed territory into existing District No. 5 Zone of Benefit K\_18, and set the levy and collection of assessments against the assessable lots and parcels of land for that portion of territory.

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 "B" is annexed into existing assessment district Yuba City Lighting and Landscape Maintenance District No. 5 ("District"), Zone of Benefit K\_18.

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 K\_18 of the existing assessment district designated "Yuba City Lighting and Landscape Maintenance District No. 5" pursuant to the provisions of the Act, for the remainder of the fiscal year commencing July 1, 2021 and ending June 30, 2022, to pay for the costs and expenses of the improvements for Zone of Benefit K\_18, at the assessment rate(s) set forth in Exhibit "A."

Section 5. The City Council hereby determines that the territory within Zone of Benefit K\_18 of the District, whose boundaries are set forth in Exhibit "B," 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 "A."

Section 7. The City Council finds that the assessment diagram showing Zone of Benefit K\_18 of the District, and also the subdivision of land within the District, as contained in Exhibit "B," 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.

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 June 10<sup>th</sup>, 2022.

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 7<sup>th</sup> day of June, 2022.

AYES:

NOES:

ABSENT:

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Dave Shaw, Mayor

ATTEST

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Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM  
COUNSEL FOR YUBA CITY

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

Attachment(s):

Exhibit A – Assessment Roll  
Exhibit B – Vicinity Map  
Exhibit C – Existing Zone of Benefit Map

# Exhibit A



PART C

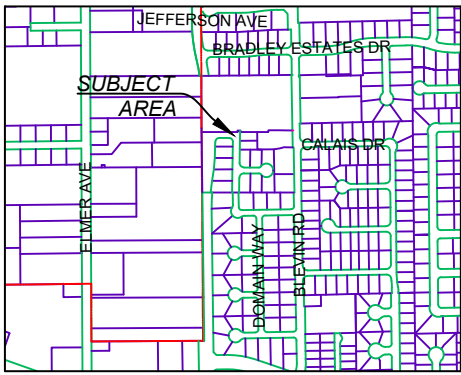
ASSESSMENT ROLL

Yuba City Lighting and Landscape Maintenance District No. 5  
ZONE OF BENEFIT K\_18  
(Domain Estates - Unit 3)

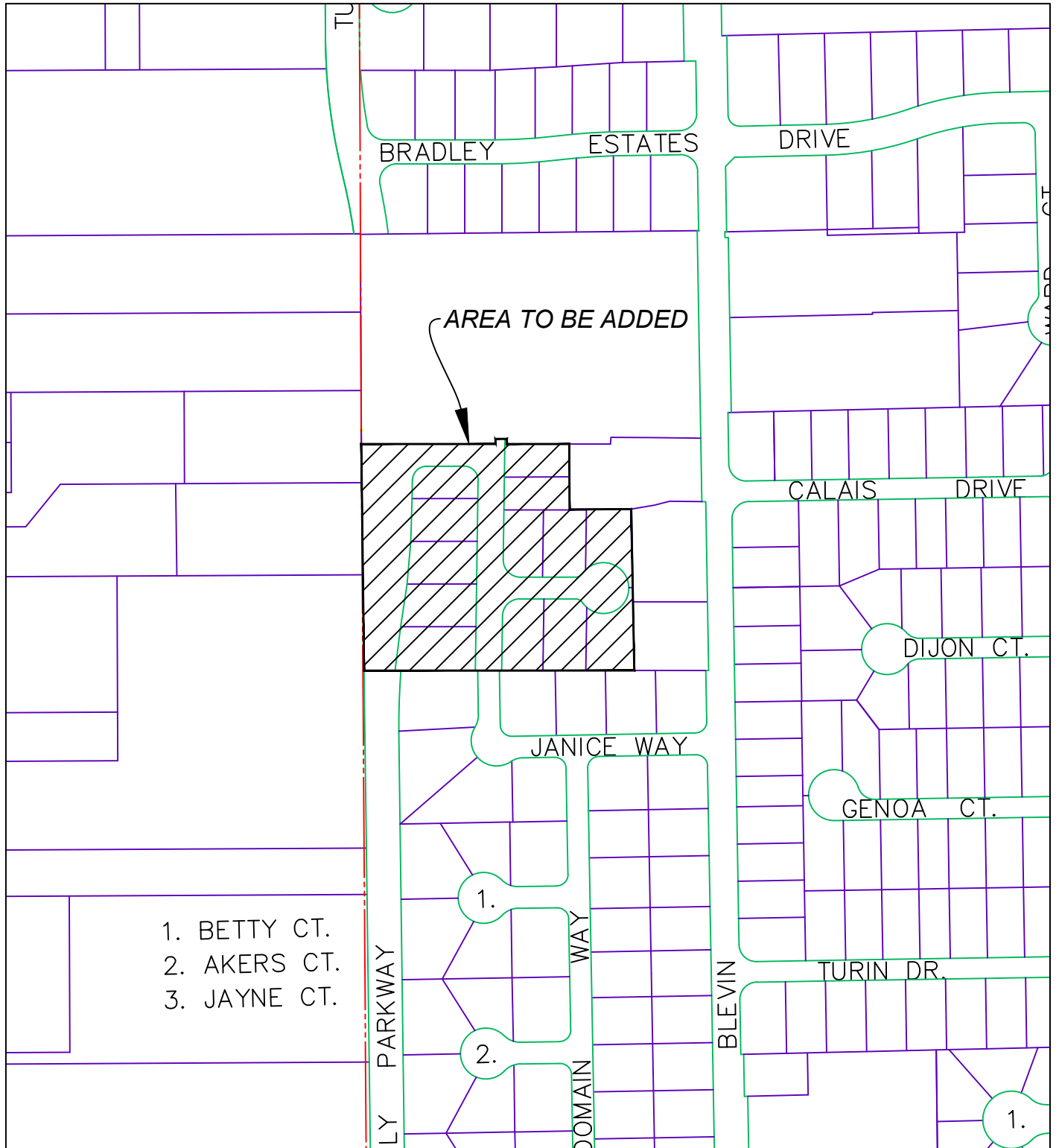
Assessment #	Assessor's #	Amount of Assmt.
1-13	59-620-TBD	\$ 342.94

## Exhibit B

**DOMAIN ESTATES - UNIT 3**  
**LIGHTING AND LANDSCAPE MAINTENANCE**  
**DISTRICT No. 5**  
**ZONE OF BENEFIT K\_18**

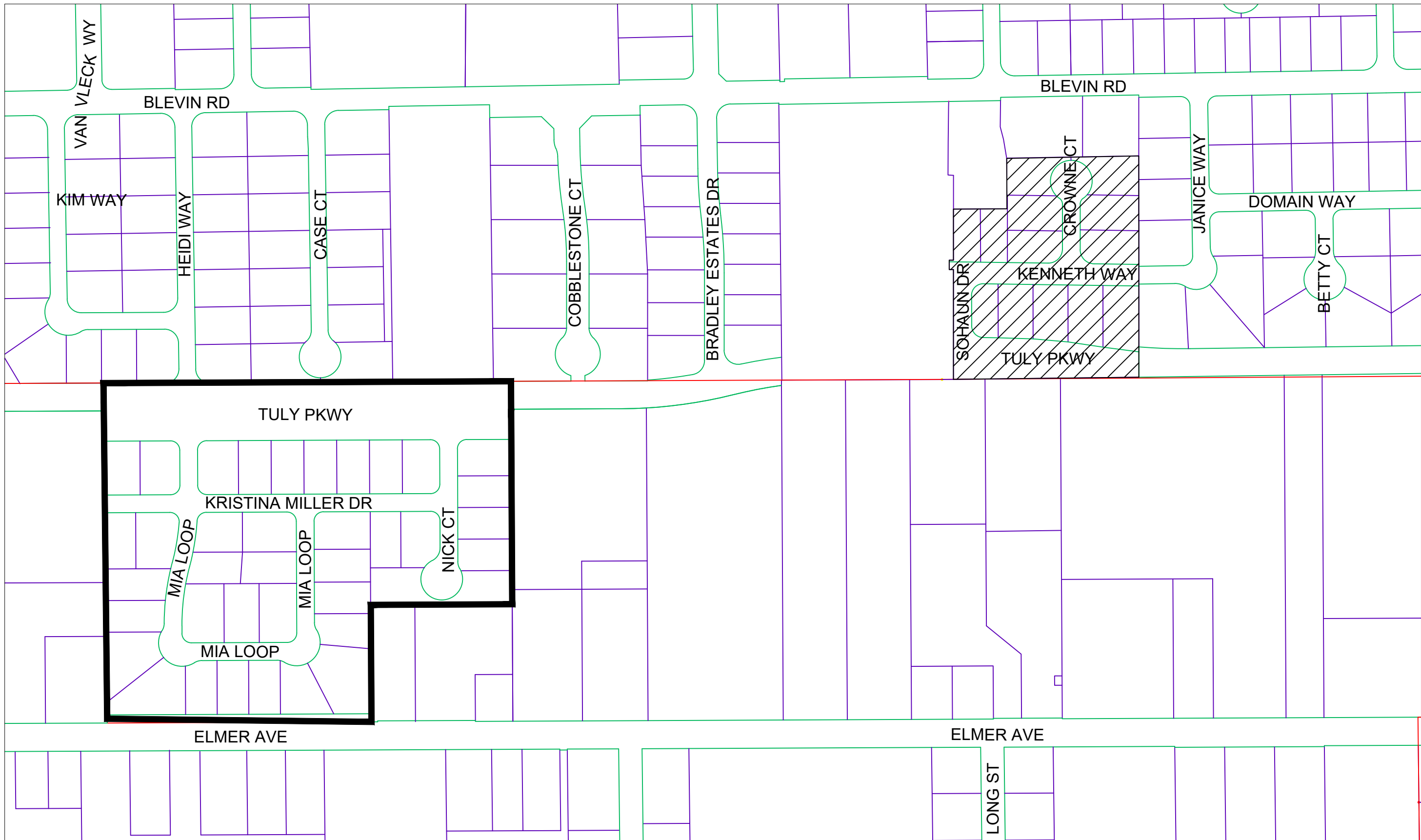


SCALE: 1" = 250'



- 1. BETTY CT.
- 2. AKERS CT.
- 3. JAYNE CT.

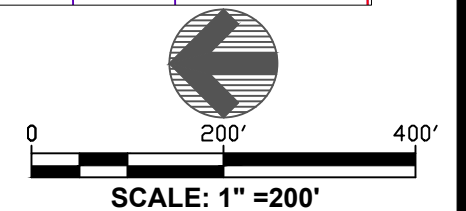
## Exhibit C



**SYMBOL LEGEND:**

- EXISTING ZONE OF BENEFIT K\_18 AREA
- PARCELS BEING ANNEXED INTO ZONE OF BENEFIT

**LIGHTING AND LANDSCAPE MAINTENANCE  
DISTRICT No. 5, ZONE OF BENEFIT K\_18  
NEW AREA FOR ZONE OF BENEFIT MAP**



# ATTACHMENT 2

# ENGINEER'S REPORT

## YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT

NO. 5



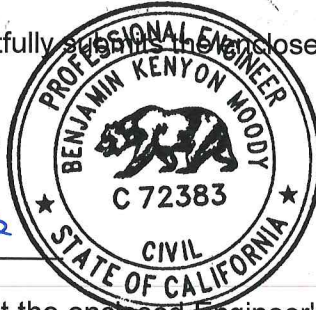
**2021-2022**

**ZONE OF BENEFIT K\_18**

**(Domain Estates – Unit 3)**

**ENGINEER'S REPORT  
FOR  
YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 5  
ZONE OF BENEFIT K\_18  
(Domain Estates - Unit 3)  
(PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)**

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

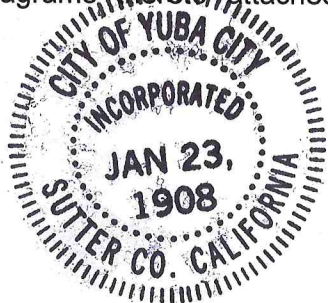


Benjamin Moody, Engineer of Work  
City of Yuba City

Dated : 6/1/2022

By: *Benjamin Moody*

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto, attached, was filed with me on the 1<sup>ST</sup> of JUNE, 2022.



Ciara Wakefield, Deputy City Clerk  
City of Yuba City  
Sutter County, California

By: *Ciara Wakefield*

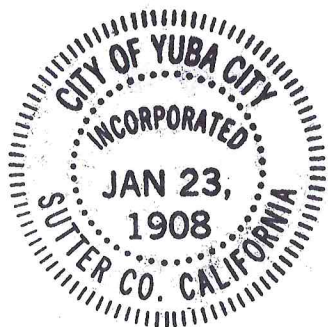
I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto, attached, was approved and confirmed by the City Council of the City of Yuba City, California, on the 7<sup>TH</sup> of JUNE, 2022.



Ciara Wakefield, Deputy City Clerk  
City of Yuba City  
Sutter County, California

By: *Ciara Wakefield*

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 10<sup>TH</sup> of JUNE, 2022.



Ciara Wakefield, Deputy City Clerk  
City of Yuba City  
Sutter County, California

By: *Ciara Wakefield*



**ENGINEER'S REPORT  
YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 5  
ZONE OF BENEFIT K\_18  
(Domain Estates - Unit 3)**

(Pursuant to the Landscaping and Lighting Act of 1972)

Benjamin Moody, Engineer of Work for the Yuba City Lighting and Landscape Maintenance District No. 5, Zone of Benefit K\_18, 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 improvements to be maintained subject to this report include the street lighting, street trees, landscape medians, landscape strips, and landscape planters with block walls, as described within the original "Engineer's Report, Yuba City Lighting and Landscape District No. 5, Zone of Benefit K\_18, Valencia Estates". The area requesting annexation into District 5, Zone of Benefit K\_18 includes: Domain Estates - Unit 3 (TSM 20-05), on Assessor's Parcel Number 59-530-027, located north of Janice Way, east of Elmer Avenue, south of Bradley Estates Drive, and west of Blevin Road. The subject parcels are to be split into 13 parcels. In addition to the aforementioned improvements, funds from this annexation will also cover costs for maintenance and replacement of barricades and associated chain link fencing.

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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Benjamin Moody  
Engineer of Work  
City of Yuba City

**PART A  
PLANS AND SPECIFICATIONS**

**YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 5  
ZONE OF BENEFIT K\_18  
(Domain Estates - Unit 3)**

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

**PART B**  
**ESTIMATE OF ANNUAL COST OF MAINTENANCE**  
**Yuba City Lighting and Landscape Maintenance District No. 5**  
**Zone of Benefit K\_18**  
**(2 Parcels)**

**Basis of Calculation**  
 Domain Estates - Unit 3 TM 20-03,

**Background**

The Domain Estates - Unit 3 Development at Assessor's Parcel Number (APN) 59-530-027 is requesting to be included into a Zone of Benefit, as required through their conditions of approval for Tentative Subdivision Map (TSM 20-05). Based on the characteristics of Domain Estates – Unit 3's improvements, the best-fit option for an existing Zone of Benefit annexation would be the existing Zone of Benefit K\_18.

The existing LLMD No. 5, Zone of Benefit K\_18 was established in 2017 for the Valencia Estates subdivision, with a fee per parcel for the operation and maintenance costs associated with street lighting, street trees, landscape medians, landscape strips, and landscape planters with block walls. The fee per parcel for Zone of Benefit K\_18 was determined based on annual maintenance costs for the aforementioned items associated with the Valencia Estates Subdivision.

The subject parcels are planned to be split into 13 parcels. In order to determine what the assessment will be for these 13 parcels, the original assessment for Zone of Benefit K\_18 will need to be increased to today's dollars using the Consumer Price Index (CPI).

**Analysis**

The original estimate for annual maintenance costs in this Zone of Benefit was as follows:

**Yuba City Lighting and Landscape Maintenance District No. 5**  
**Zone of Benefit K\_18**  
**(39 Lots)**

**Basis of Calculation**  
 Valencia Estates Dwg. No. 5364-D

	<u>Total</u>
Street Lighting – Residential	
\$109./yr x 12 lights =	\$1,308.00
Street Lighting – Tuly Parkway & Elmer Road Collector/Arterial	
\$119/yr. x 7 lights =	\$833.00

**Current cost: (5 active lights = \$595.00)**

Interior Street Trees –  
 \$45/tree x 88 trees = \$3,960.00

Tuly Parkway - Trees, Landscape Strips/Planters, and Medians  
 \$.20/ sq. ft. x 18,850 SF = \$3,770.00

Elmer Road – Trees, Landscape Strips/Planters  
 current r/w area between edge of pavement and block wall  
 \$0.20/ sq. ft. x 8,750 SF = \$1,750.00

**Current cost: (Elmer Road not fully constructed = \$500.00)**

Tuly Parkway and Elmer Avenue – Block Wall  
 \$.50/ LF x 1,274 LF = \$637.00

Subtotal = \$12,258.00  
 CPI multiplier (1.0) = \$12,258.00  
 10% Administration = \$1,225.80

**Subtotal Assessment = \$13,483.80**

**Per Lot Assessment (39 Lots) = \$345.74**

**FY 17-18 Per Lot Assessment (39 Lots) = \$296.15**

The above calculations show the original annual cost for maintenance per parcel (\$296.15) for Zone of Benefit K\_18. The below tables show the CPI and Multipliers for January of 2017, and January of 2022:

**Consumer Price Index**

Year	Consumer Price Index	Multiplier
January 2017	242.839	1.000
January 2022	281.148	1.158

In order to bring the 2017 per parcel assessment into January 2022 dollars, the CPI multiplier will be used.

Established Rate Per Parcel in 2017 = \$296.15  
 CPI Multiplier (1.158) = \$342.94  
 10 % Administration (Included in Original Per Parcel Rate) = \$0.00

**Per Lot Assessment (13 Lots) = \$342.94**

**PART C  
ASSESSMENT ROLL**

**Yuba City Lighting and Landscape Maintenance District No. 5  
ZONE OF BENEFIT K\_18  
(Domain Estates - Unit 3)**

<b>Assessment #</b>	<b>Assessor's #</b>	<b>Amount of Assmt.</b>
1-13	59-620-TBD	\$ 342.94

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

**Yuba City Lighting and Landscape Maintenance District No. 5**  
**Zone of Benefit K\_18**  
**(Domain Estates - Unit 3)**

All areas within the LLMD will share equally in the maintenance costs of the street lighting, street trees, and landscape strips described within the original "Engineer's Report, Yuba City Lighting and Landscape District No. 5, Zone of Benefit K\_18, Valencia Estates". The area requesting annexation into District 5, Zone of Benefit K\_18 includes: Domain Estates - Unit 3 (TSM 20-05), on Assessor's Parcel Number 59-530-027, located north of Janice Way, east of Elmer Avenue, south of Bradley Estates Drive, and west of Blevin Road. The subject parcels are to be split into 13 parcels. In addition to the aforementioned improvements, funds from this annexation will also cover costs for maintenance and replacement of barricades and associated chain link fencing.

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 was factored into the original assessment in order to cover the cost to administer the District.

**Consumer Price Index**

Year	Consumer Price Index	Multiplier
January 2017	242.839	1.000
January 2022	281.148	1.158

**PART E**

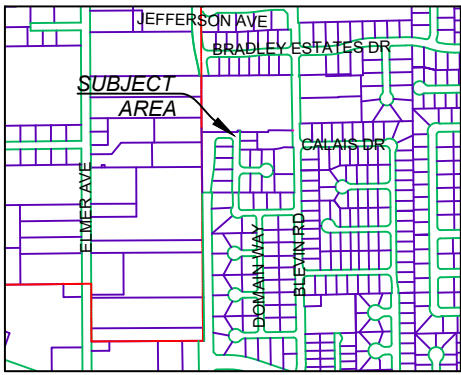
**ASSESSMENT DIAGRAM**

**Yuba City Lighting and Landscape Maintenance District No. 5**

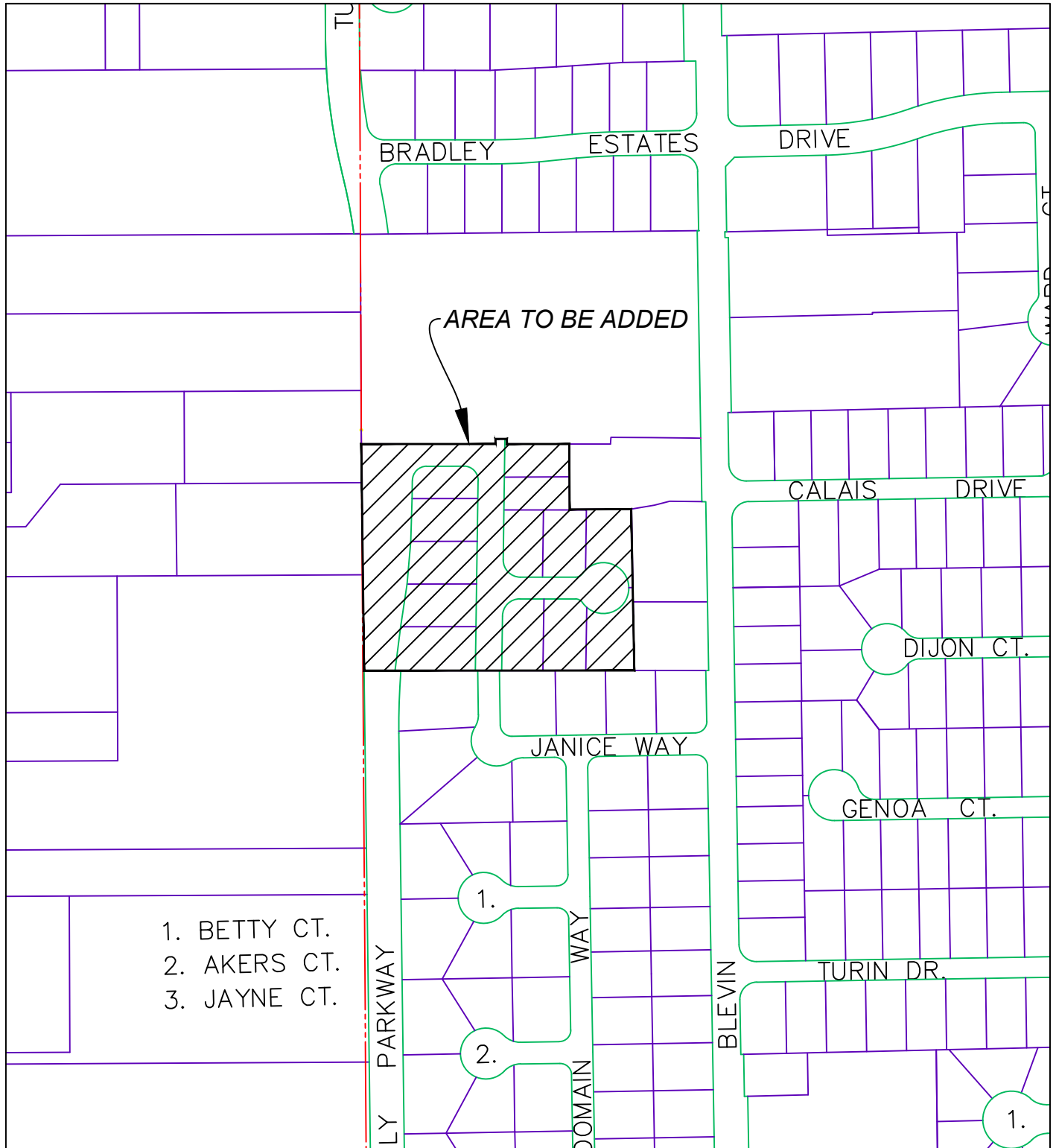
**ZONE OF BENEFIT K\_18**

**(Domain Estates – Unit 3)**

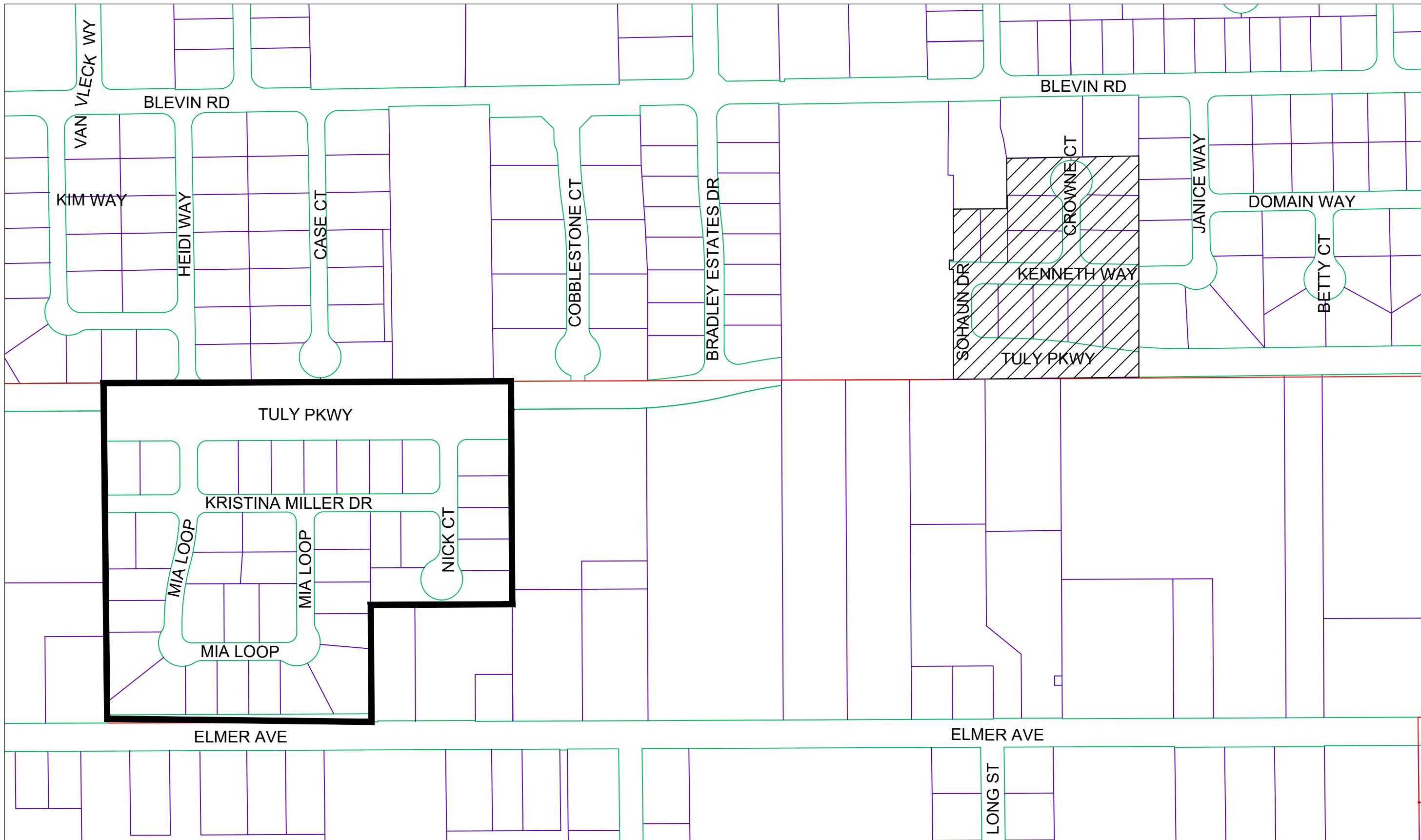
**DOMAIN ESTATES - UNIT 3**  
**LIGHTING AND LANDSCAPE MAINTENANCE**  
**DISTRICT No. 5**  
**ZONE OF BENEFIT K\_18**



**SCALE: 1" = 250'**



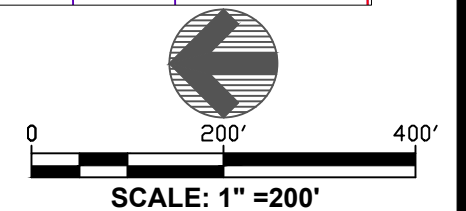




**SYMBOL LEGEND:**

- EXISTING ZONE OF BENEFIT K\_18 AREA
- PARCELS BEING ANNEXED INTO ZONE OF BENEFIT

**LIGHTING AND LANDSCAPE MAINTENANCE  
DISTRICT No. 5, ZONE OF BENEFIT K\_18  
NEW AREA FOR ZONE OF BENEFIT MAP**



# ATTACHMENT 3



Kevin Bradford  
City of Yuba City  
Public Works Department  
1201 Civic Center Boulevard  
Yuba City, CA 95993

Subject: Domain Estates – Unit 3  
Lighting and Landscape Maintenance District Assessment Formation

Dear Mr. Bradford:

We are the owners/representatives of the property designated as Domain Estates – Unit 3, which is described as Assessor Parcel Number (APN): 59-530-027, located north of Janice Way, east of Elmer Avenue, south of Bradley Estates Drive, and west of Blevin Road in Yuba City. The subject parcels are to be split into 13 parcels.

The subject property has been conditioned to request for the formation of a Lighting and Landscape Maintenance District, Zone of Benefit, as requested by the City, prior to the final map being filed.

Pursuant to Section 22608 of the Streets and Highways Code, we are waiving any resolutions, report, notices of hearing, and right of majority protest regarding the annexation of the subject property described above into Lighting and Landscape Maintenance District 5, Zone of Benefit K\_18. I also acknowledge and agree that the subject property will be subject to a levy of an initial assessment in the amount of \$4,458.22 per year (\$342.94 per parcel, per year) as may be adjusted by a levy of annual assessments per Streets and Highways Code Section 22620 et seq.

It is hereby certified that the below signatures are that of the individuals authorized to sign on behalf of APN 59-530-027. If you have any questions, please call me at (530) 870-3172.

Sincerely,

A handwritten signature in blue ink, appearing to read "KST", is written over a horizontal line.

Kalbir S. Takhar  
CEO  
Crowne Development, Inc.

5-30-22

Date