

CITY OF YUBA CITY  
STAFF REPORT

**Date:** July 5, 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:** Lighting and Landscape Maintenance District Nos. 2-6 FY 2022-23 Annual Levy Initiation

**Recommendation:** Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports with regard to Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6, to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972

**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(Districts). 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 Cost of Living Adjustment (COLA), which is based on the Consumer Price Index from January to January.

**Analysis:**

The proposed action of ordering the Engineer of Work to file a report for the Districts is the first step in the annual levy process. This step allows staff to review expenses and revenues for the Districts, determine how to best levy the Districts such that revenues meet or exceed expenditures, and appropriate reserve balances are maintained, and ultimately file a report which will be reviewed and approved by City Council. Once the report is approved by Council, a Public Hearing will be held for the Districts' annual levy.

**Fiscal Impact:**

Staff time and consultant expenditures within budgeted administration amounts will be required to prepare and file the reports. The proposed assessments for Fiscal Year 2022-23 will be available for review, and analyzed in depth at the time of the Annual Report Approval.

**Alternatives:**

Do not order the Engineer of Work to file a report for the Districts. This will result in delays to the annual levy process, ultimately causing the City to file with the County Auditor after the legal deadline.

**Recommendation:**

Adopt a Resolution describing improvements and ordering the Engineer of Work to file reports with regard to Yuba City Lighting and Landscape Maintenance District Nos. 2, 3, 4, 5, and 6, to continue the Maintenance Districts, pursuant to the Landscaping and Lighting Act of 1972

**Attachments:**

1. Attachment 1 - Resolution LLMD 2-6 Initiation

**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  
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 2022-23 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 2022-23 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 2022-23 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 5<sup>th</sup> day of July, 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