

CITY OF YUBA CITY
STAFF REPORT

Date: September 6, 2022
To: Honorable Mayor & Members of the City Council;
From: Public Works Department
Presentation By: Joshua Wolffe, Associate Engineer

Summary

Subject: Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_15 (769 Garden Highway)

Recommendation: A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering annexation of the parcel associated with the 769 Garden Highway Development, APN 53-400-080 into the existing Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_15 and establishing a levy of assessments for the annexed territory

Fiscal Impact: \$56.15 per lot, \$56.15 total annual revenue, with an inflation index

Purpose:

To fund the ongoing operation, maintenance, and administration of street lighting.

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 is maintained and operational

Background:

The existing LLMD No. 6, Zone of Benefit B_15 was established in 2019 for the Recycling Industries development, with a fee per parcel for the operation and maintenance costs associated with street lighting. The fee per parcel for Zone of Benefit B_15 was determined based on annual maintenance costs for the street lighting associated with the Recycling Industries development.

Currently the 769 Garden Highway development at Assessor's Parcel Number (APN) 53-400-080 is requesting to be included into this Zone of Benefit, to satisfy conditions of their Building Permit. In order to determine what the assessment will be for this parcel, the original assessment for Zone of Benefit B_15 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 769 Garden Highway Development have requested to waive the Public Hearing proceedings, which has allowed the City to utilize the expedited process in order to annex the parcel associated with the 769 Garden Highway Development into the existing LLMD No. 6, Zone of Benefit B_15.

The expedited process consists of the City Council holding a Public Hearing for the annexation of the new area into the existing Zone of Benefit, adopting a single Resolution which confirms and orders the annexation of the new territory into the existing Zone of Benefit and 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 streetlights 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 parcel 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_15 has determined that the annual assessed amount for the parcels being annexed into the Zone of Benefit is \$56.15 per lot, or \$56.15 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 streetlights, and maintain said streetlights from alternative sources.
2. Direct staff to begin the typical longform Lighting and Landscape Maintenance District annexation procedure.

Recommendation:

A. Conduct a Public Hearing

B. Adopt a Resolution confirming and ordering annexation of the parcel associated with the 769 Garden Highway Development, APN 53-400-080 into the existing Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_15 and establishing a levy of assessments for the annexed territory

Attachments:

1. Attachment 1 - Resolution 6 B_15 with Exhibits
2. Attachment 2 - Engineer's Report 6 B_15
3. Attachment 3 - Waive Public Hearing 6 B_15

Prepared By:
Josh Wolffe
Associate Civil Engineer

Submitted By:
Diana Langley
City Manager

ATTACHMENT 1

ATTACHMENT 1

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY CONFIRMING AND ORDERING ANNEXATION OF THE PARCEL ASSOCIATED WITH THE 769 GARDEN HIGHWAY DEVELOPMENT, APN 53-400-080, INTO THE EXISTING YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6, ZONE OF BENEFIT B_15 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 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. 6, Zone of Benefit b_15; 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 existing District No. 6 Zone of Benefit B_15, 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. 6 ("District"), Zone of Benefit B_15.

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_15 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, 2022 and ending June 30, 2023, to pay for the costs and expenses of the improvements for Zone of Benefit B_15, at the assessment rate(s) set forth in Exhibit "A."

Section 5. The City Council hereby determines that the territory within Zone of Benefit B_15 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 B_15 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 September 9th, 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 6th day of September 2022.

AYES:

NOES:

ABSENT:

Dave Shaw, Mayor

ATTEST

Ciara Wakefield, Deputy City Clerk

APPROVED AS TO FORM
COUNSEL FOR YUBA CITY

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

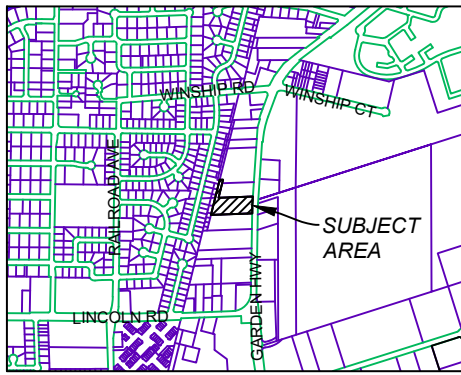
**PART C
ASSESSMENT ROLL**

**Yuba City Lighting and Landscape Maintenance District No. 6
ZONE OF BENEFIT B_15
(769 Garden Highway)**

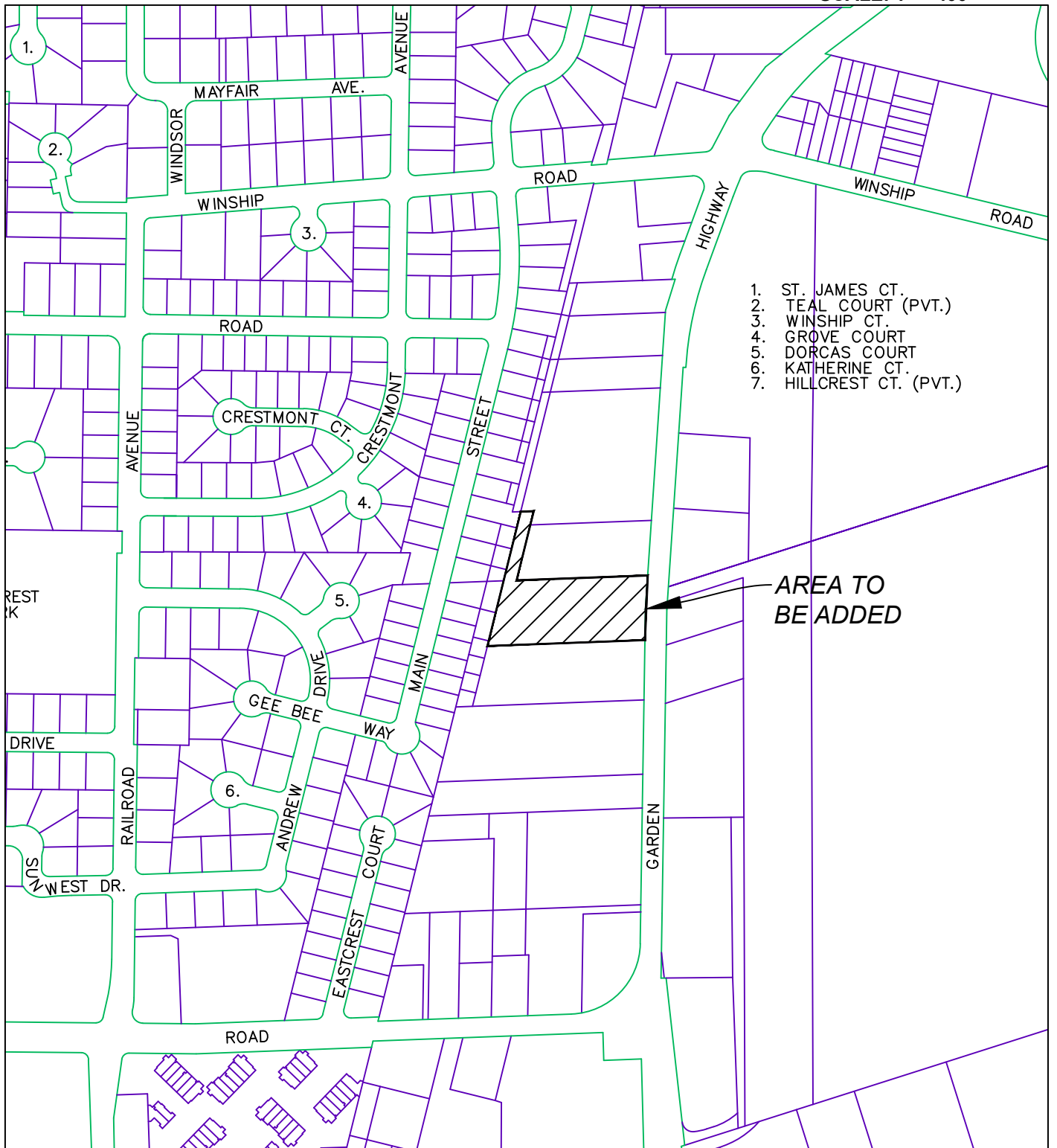
Assessment #	Assessor's #	Amount of Assmt.
1	53-400-080	\$ 56.15

EXHIBIT B

**769 GARDEN HIGHWAY
LIGHTING AND LANDSCAPE MAINTENANCE
DISTRICT No. 6
ZONE OF BENEFIT B_15**



SCALE: 1" = 400'



- 1. ST. JAMES CT.
- 2. TEAL COURT (PVT.)
- 3. WINSHIP CT.
- 4. GROVE COURT
- 5. DORCAS COURT
- 6. KATHERINE CT.
- 7. HILLCREST CT. (PVT.)

**AREA TO
BE ADDED**

EXHIBIT C



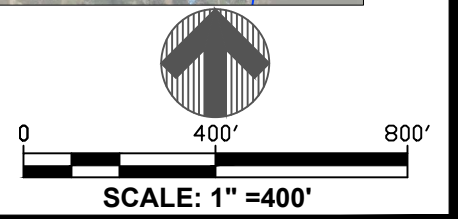
- 4. GROVE COURT
- 5. DORCAS COURT
- 6. KATHERINE CT.
- 7. HILLCREST CT. (PVT.)

- 1. ASHWOOD CT.
- 2. ALDERWOOD CT.
- 3. MARGARET CT.
- 4. PAYNE CT.
- 5. JAN CT.
- 6. CARRISSA CT.

SYMBOL LEGEND:

- EXISTING ZONE OF BENEFIT B_15 AREA
- PARCELS BEING ANNEXED INTO ZONE OF BENEFIT

**LIGHTING AND LANDSCAPE MAINTENANCE
DISTRICT No. 5, ZONE OF BENEFIT B_15
NEW AREA FOR ZONE OF BENEFIT MAP**



ATTACHMENT 2

ENGINEER'S REPORT

YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT

NO. 6



2022-2023

ZONE OF BENEFIT B_15
(769 Garden Highway)

**ENGINEER'S REPORT
FOR
YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT NO. 6
ZONE OF BENEFIT B_15
(769 Garden Highway)
(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 : 08/31/2022

By: 

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment diagrams thereto attached, was filed with me on the 31ST of August, 2022.



Ciara Wakefield, Deputy 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 6TH of SEPTEMBER 2022.



Ciara Wakefield, Deputy 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 9TH of SEPTEMBER 2022.



Ciara Wakefield, Deputy 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_15
(769 Garden Highway)**

(Pursuant to the Landscaping and Lighting Act of 1972)

Benjamin Moody, Engineer of Work for the Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B_15, 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 system, as described within the original "Engineer's Report, Yuba City Lighting and Landscape District No. 6, Zone of Benefit B_15, Recycling Industries".

The area requesting annexation into District 6, Zone of Benefit B_15 includes: 769 Garden Highway on Assessor's Parcel Number 53-400-080.

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,



Benjamin Moody
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_15
(769 Garden Highway)**

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. 6
Zone of Benefit B_15
(1 Parcel)

Basis of Calculation
Henson Ranch - Phase 1 TSM 21-01,

Background

The 769 Garden Highway Development at Assessor's Parcel Number (APN) 53-400-080 is requesting to be included into a Zone of Benefit, as required through their plan check requirements for their building permit. Based on the characteristics of 769 Garden Highway's improvements, the best-fit option for an existing Zone of Benefit annexation would be the existing Zone of Benefit B_15.

The existing LLMD No. 6, Zone of Benefit B_15 was established in 2019 for the Recycling Industries Development, with a fee per parcel for the operation and maintenance costs associated with street lighting. The fee per parcel for Zone of Benefit B_15 was determined based on annual maintenance costs for the aforementioned items associated with the Recycling Industries development.

In order to determine what the assessment will be for this parcel, the original assessment for Zone of Benefit B_15 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:

Basis of Calculation
Hooper Ranch Estates Phase 2, TM 20-03, SM 20-03

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>
Use = 66 watts @ 120-480V	
PG&E LS-2 Rate 7/1/19: (\$4.048/month + \$0.207/month) *12 months/year = \$ 51.06 energy charge + facility charge	
<u>Fixture Cost</u>	
15 year life expectancy (\$505 / 15years) =	=\$ 33.67
<u>Pole Replacement Cost</u>	
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 street light / year (2019 dollars)	=\$134.93

Fixture	
CPI multiplier (1.016)	\$ 137.09
10% Administration =	<u>\$ 13.71</u>

Subtotal Assessment = \$150.80

Per Lot Assessment (3 Lots) = \$ 50.27

The above calculations show the original annual cost for maintenance per parcel (\$50.27) for Zone of Benefit B_15. The below tables show the CPI and Multipliers for January of 2019, and January of 2022:

Consumer Price Index

Year	Consumer Price Index	Multiplier
January 2019	251.712	1.000
January 2022	281.148	1.117

In order to bring the 2019 per parcel assessment into January 2022 dollars, the CPI multiplier will be used.

Established Rate Per Parcel in 2019	=	\$50.27
CPI Multiplier (1.117)	=	\$56.15
10 % Administration (Included in Original Per Parcel Rate)	=	\$0.00
Per Lot Assessment	=	\$56.15

**PART C
ASSESSMENT ROLL**

**Yuba City Lighting and Landscape Maintenance District No. 6
ZONE OF BENEFIT B_15
(769 Garden Highway)**

Assessment #	Assessor's #	Amount of Assmt.
1	53-400-080	\$ 56.15

PART D
METHOD OF APPORTIONMENT OF ASSESSMENT

Yuba City Lighting and Landscape Maintenance District No. 6
Zone of Benefit B_15
(769 Garden Highway)

All areas within the LLMD will share equally in the maintenance costs of the street lighting within the original “Engineer’s Report, Yuba City Lighting and Landscape District No. 6, Zone of Benefit B_15, Recycling Industries”.

The area requesting annexation into District 6, Zone of Benefit B_15 includes: 769 Garden Highway, on Assessor’s Parcel Number 53-400-080.

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 2019	251.712	1.000
January 2022	281.148	1.117

PART E

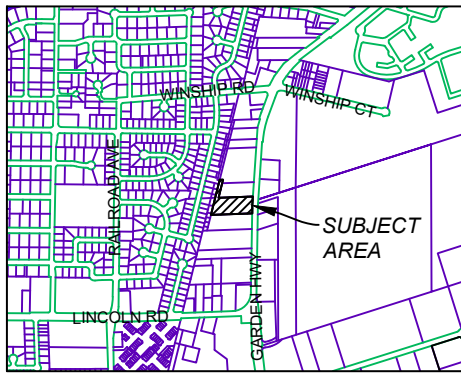
ASSESSMENT DIAGRAM

Yuba City Lighting and Landscape Maintenance District No. 6

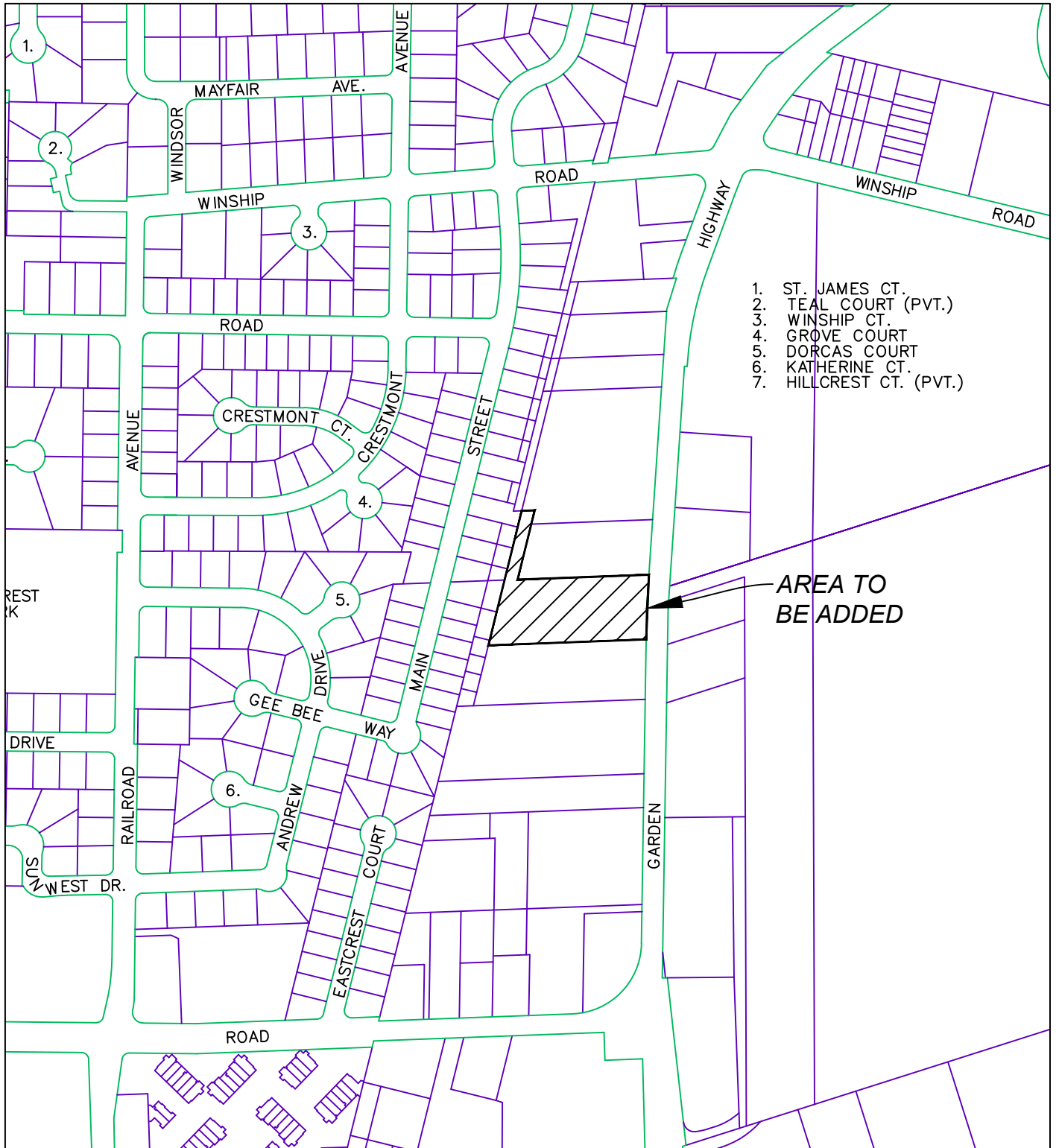
ZONE OF BENEFIT B_15

(769 Garden Highway)

**769 GARDEN HIGHWAY
LIGHTING AND LANDSCAPE MAINTENANCE
DISTRICT No. 6
ZONE OF BENEFIT B_15**



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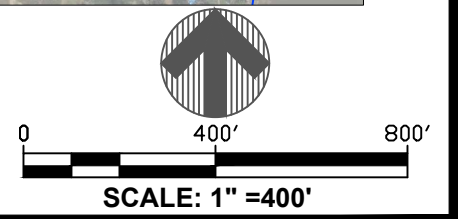
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- EXISTING ZONE OF BENEFIT B_15 AREA
- PARCELS BEING ANNEXED INTO ZONE OF BENEFIT

**LIGHTING AND LANDSCAPE MAINTENANCE
DISTRICT No. 5, ZONE OF BENEFIT B_15
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: 769 Garden Highway
Lighting and Landscape Maintenance District Assessment Formation

Dear Mr. Bradford:

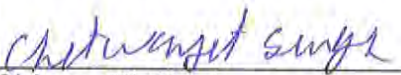
We are the owners/representatives of the property designated as 769 Garden Highway, which is described as Assessor Parcel Number (APN): 53-400-080.

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 6, Zone of Benefit B_15. I also acknowledge and agree that the subject property will be subject to a levy of an initial assessment in the amount of \$56.15 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 53-400-080. If you have any questions, please call Chitwantjit Singh at (916) 606-6475.

Sincerely,



Chitwantjit Singh
Owner



Date