



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: July 7, 2009

SUBJECT: Public Hearing: Gateway Lighting & Landscaping District

Report in Brief

The Gateway Lighting and Landscaping District (“L&L” or “District”) was formed to provide a funding source for maintenance and servicing of costs of certain improvements located within or adjacent to the District. State regulations require the City Council to take an action on an annual basis to allow assessment of the District.

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. ____ to approve the Engineer’s Report and order the levy and collection of the assessment as set forth in the annual report.

Background

The Landscaping and Lighting Act of 1972 (“the Act”) authorizes cities to impose assessments on benefitted properties to finance construction of street landscaping, street lighting, traffic signals, parks, street trees, sidewalk repair, recreational improvements; as well as maintenance and servicing of any of these improvements. In accordance with Act, the City formed the Gateway L&L District.

The Gateway L&L is located in the southeast portion of the City, generally bounded to the north by Interstate 5, to the west by County Road 102, to the south by Bronze Star Drive and generally to the east by the City boundaries.

On June 16, 2009, Council approved resolutions to preliminarily approve the Engineer’s Report and to initiate proceedings for the annual levy, which included setting the public hearing date for July 7, 2009. The Engineer’s Report is available for review in the Finance Department.

Discussion

Each year, the City prepares an Annual Report for each District, along with the District estimates for an operating budget, to calculate the assessment annually levied for each parcel. This budget determines what maintenance operations are performed for the fiscal year and directs the County

Assessor what to levy each parcel. The complete reports were provided to Council on June 16, 2009 and are available for review in the Finance Department.

State regulations require a two part process to complete the annual levy. The first part of the process requires Council to take action to initiate proceedings for the levy, preliminarily approve the Engineer’s Reports and call for a public hearing; this occurred at the June 16, 2008 Council meeting. Tonight’s public hearing is required to complete the levy process. Following the public hearing, the Council may direct changes to the Engineer’s Report or to the levy, but may not increase the levy beyond the maximum approved amount.

Fiscal Impact

If approved, the District would generate \$80,535 in revenues to offset the costs of District maintenance. The following table shows a comparison, by zoning type, of the maximum assessment, the FY08/09 actual assessment and the proposed FY09/10 assessment:

Zoning	Maximum Levy	Fiscal Year 2009/2010 Levy	Fiscal Year 2008/2009 Levy
Per Acre	\$3,129.00	\$1,561.36	\$1,624.70

Public Contact

Posting of the City Council agenda and required noticing in the Daily Democrat.

Recommendation for Action

Staff recommends that the City Council conduct a public hearing and adopt Resolution No. _____ to approve the Engineer’s Report and order the levy and collection of the assessment as set forth in the annual report.

Prepared by: Kim McKinney
Senior Accountant

Reviewed by: Amber D’Amato
Finance Officer

Mark G. Deven
City Manager

Attachments

RESOLUTION NO: _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA, AMENDING AND/OR APPROVING THE FISCAL YEAR 2009/2010 ENGINEER'S REPORT REGARDING THE GATEWAY LANDSCAPING AND LIGHTING DISTRICT

WHEREAS, the City Council, pursuant to the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (the "Act"), did by previous Resolution order the Assessment Engineer, Koppel & Gruber Public Finance, to prepare and file the 2009/2010 Engineer's Report for the "**Gateway Landscaping and Lighting District**" (the "District"); and,

WHEREAS, the Assessment Engineer has prepared and filed with the City Clerk of the City of Woodland, California and the City Clerk has presented to the City Council such report entitled "**City of Woodland Gateway Landscaping and Lighting District Fiscal Year 2009/2010 Engineer's Report**" (the "Report") as required by the Act; and,

WHEREAS, the City Council has carefully examined and reviewed the Report as presented, considered all oral and written comments presented with respect to the District and Report at a noticed Public Hearing and has discussed any necessary or desired modifications to the Report, and is satisfied that the levy for each parcel has been calculated in accordance with the special benefits received from the operation, maintenance and services performed, as set forth in the Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF WOODLAND, THE LEGISLATIVE BODY FOR SAID DISTRICT, AS FOLLOWS:

Section 1 The preceding recitals are true and correct.

Section 2 The Report as presented or as modified, contains the following:

- a. A Description of Improvements.
- b. A Diagram of the District.
- c. The Method of Apportionment that details the method of calculating each parcel's proportional special benefits and annual assessment.
- d. The 2009/2010 Assessment based upon Method of Apportionment as approved by the property owners pursuant to the provision of the California Constitution Article XIID Section 4.
- e. An "Assessment Range Formula" for calculating annual inflationary adjustments to the initial "Maximum Assessment" (Adjusted Maximum Levy per benefit unit), also approved by the property owners.

RESOLUTION NO: _____

- f. The 2009/2010 Annual Budget (Costs and Expenses) and the resulting 2009/2010 assessment (Levy per benefit unit) for the first fiscal year.
- g. The Assessment Roll containing the Levy for each Assessor Parcel Number within the District for Fiscal Year 2009/2010.

Section 3

The City Clerk is hereby directed to enter on the minutes of the City Council any and all modifications to the Report determined and approved by the City Council, and all such changes and/or modifications by reference are to be incorporated into the Report.

Section 4

The City Council is satisfied with the Report as presented or modified, each and all of the budget items and documents as set forth therein, and is satisfied that the Fiscal Year 2009/2010 annual assessments contained therein are consistent with the assessments approved by the property owners and spread in accordance with the special benefits received from the improvements pursuant to the provisions of the California Constitution Article XIID.

Section 5

The Report is hereby approved as submitted or modified and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 6

The City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation and approval of the Report as submitted or modified.

RESOLUTION NO: _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA ORDERING THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS REGARDING THE GATEWAY LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2009/2010

WHEREAS, the City Council, has by previous Resolutions initiated proceedings to form, and declared its intention to levy and collect annual assessments against parcels of land within the **“Gateway Landscaping and Lighting District”** (the “District”) for the fiscal year commencing July 1, 2009 and ending June, 30 2010 pursuant to the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (the “Act”) to pay the costs and expenses of operating, maintaining and servicing the improvements and appurtenant facilities related thereto; and,

WHEREAS, Koppel & Gruber Public Finance, the Assessment Engineer selected by the City Council has prepared and filed with the City Clerk and the City Clerk has presented to the City Council the Engineer’s Report entitled **“City of Woodland Gateway Landscaping and Lighting District Fiscal Year 2009/2010 Engineer’s Report”** (the “Report”), in connection with the proposed levy and collection of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution approve such Report; and,

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the Fiscal Year commencing July 1, 2009 and ending June 30, 2010, to pay the costs and expenses of operating, maintaining and servicing the improvements and appurtenant facilities related thereto; and,

WHEREAS, the City Council following notice duly given, has held a full and fair Public Hearing on July 7, 2009, regarding the levy and collection of assessments as described in the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters, pursuant to the Act and in accordance with the provisions of the California Constitution Article XIID.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF WOODLAND, THE LEGISLATIVE BODY FOR SAID DISTRICT, AS FOLLOWS:

Section 1 The preceding recitals are true and correct.

Section 2 Following notice duly given, the City Council has held a full and fair public hearing regarding the levy and collection of the assessments, the Report prepared in connection therewith, and considered all oral and written statements, protests and communications made or filed by interested persons regarding these matters.

RESOLUTION NO: _____

Section 3 The City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2009 and ending June 30, 2010, to pay the costs and expenses of operating, maintaining and servicing the landscaping, lighting, storm drainage and appurtenant facilities located within public places in the District.

Section 4 The City Council has carefully reviewed and examined the Report in connection with the District, and the levy and collection of assessments. Based upon its review the Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, hereby finds that the City Council determines that:

- a. The territory of land within District will receive special benefits from the operation, maintenance and servicing of the landscaping, lighting, drainage and appurtenant facilities and improvements related thereto.
- b. The District includes all of the lands so benefited; and
- c. The amount to be assessed upon the lands within the District, in accordance with the proposed budget for the fiscal year commencing July 1, 2009 and ending June 30, 2010 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the special benefits, to be received by each parcel from the improvements and services, and is satisfied that the assessments are levied, without regard to property valuation.

Section 5 The Report and Fiscal Year 2009/2010 assessments, as presented to the City Council and on file in the office of the City Clerk, are hereby confirmed as filed.

Section 6 The City Council hereby orders the proposed improvements to be made; the improvements are briefly described as the operation, administration, maintenance and servicing of all public landscaping and lighting improvements, storm drainage and appurtenant facilities and expenses associated with the District, and that will be maintained by the City of Woodland or their designee and all such maintenance, operation and servicing of the landscaping and lighting, drainage and all appurtenant facilities shall be performed pursuant to the Act. A more complete description of the improvements is detailed in the Report and by reference this document is made part of this resolution.

Section 7 The Yolo County Auditor shall place on the County Tax Roll, opposite each parcel of land, the amount of levy so apportioned by the method of apportionment formula, outlined in the Engineer's Report, and such levies shall be collected at the same time and in the same manner as county taxes are collected pursuant to *Chapter 4, Article 2, Section 22646 of the Act*. After collection by the County, the net amount of the assessments, after deduction of any compensation due the county for collection, shall be paid to the City Treasurer.

RESOLUTION NO: _____

Section 8 The City Treasurer, shall deposit all money from the assessments collected by the County for the District into a fund for the Gateway Landscaping and Lighting District, and such money shall be expended to pay the costs and expenses of operating, maintaining and servicing the improvements and appurtenant facilities related thereto described above.

Section 9 The adoption of this Resolution constitutes the Authorization of the District levy for the Fiscal Year commencing July 1, 2009 and ending June 30, 2010.

Section 10 The City Clerk's designee, Koppel & Gruber Public Finance, is hereby authorized and directed to file the levy with the Yolo County Auditor subsequent to the adoption of this Resolution.

