

Legislation Details (With Text)

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Title: PUBLIC HEARING AND RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO CONTRA COSTA COUNTY, CALIFORNIA (1) CONFIRMING THE DIAGRAM AND ASSESSMENTS AS SET FORTH IN THE ENGINEER'S REPORT WITHIN THE SAN PABLO STREET LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1982-1 FOR FISCAL YEAR 2018-19; (2) DIRECTING CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENTS WITH THE COUNTY AUDITOR NO LATER THAN AUGUST 10, 2018; AND (3) LEVYING SAID ASSESSMENTS

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2018-102 Street Lighting & Landscape Engineer Rpt & levy assessments, 2. AD 1982-1 Amendment No. 1, 3. Proof of Publication Reso 2018-081 SLLAD

Date	Ver.	Action By	Action	Result
7/3/2018	1	City Council	adopted	Pass

PREPARED BY: VICKY VOICEHOWSKY

DATE OF MEETING: 07/02/18

SUBJECT:

PUBLIC HEARING AND RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO CONTRA COSTA COUNTY, CALIFORNIA (1) CONFIRMING THE DIAGRAM AND ASSESSMENTS AS SET FORTH IN THE ENGINEER'S REPORT WITHIN THE SAN PABLO STREET LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1982-1 FOR FISCAL YEAR 2018-19; (2) DIRECTING CITY CLERK TO FILE THE DIAGRAM AND ASSESSMENTS WITH THE COUNTY AUDITOR NO LATER THAN AUGUST 10, 2018; AND (3) LEVYING SAID ASSESSMENTS

CITY MANAGER RECOMMENDATION

Conduct public hearing; adopt Resolution

COMPLIANCE STATEMENTS

Park and Median Island Maintenance is an adopted policy item under the adopted FY 2018-21 Council Priority Workplan, effective November 1, 2017.

CEQA Compliance Statement

CEQA does not apply because creation of government funding mechanisms or similar fiscal activities are not a project pursuant to 14 Cal Code of Regulations section 15378(b)(4) and maintenance projects are exempt under 14 Cal. Code of Regulations section 15301.

BACKGROUND

In 1982, the City of San Pablo formed the San Pablo Street Lighting and Landscape Assessment District No. 1982-1 and levied the first assessments for fiscal year 1982/83. The District was confirmed by a majority vote (approximately 2 to 1 voting in favor) at the general election held

November 5, 1996. It is thus exempt from the procedures and approval process set forth in Section 4 of Article XIII D of the California Constitution (Proposition 218) unless assessments are increased. Although it is not necessary to reform the District each year, the amount of the assessment to be levied must be established annually. Accordingly, a public hearing is held to provide interested persons an opportunity to comment on the proposed assessments. The public hearing should be limited only to comments regarding the proposed maintenance program and assessment for Fiscal Year 2018/19.

On March 5, 2018 the City Council directed the Assessment District Engineer to prepare and file a report for the levy of the annual assessments within Assessment District 1982-1 for fiscal year 2018-19.

The Engineer's Report has been prepared by the City's consultant, LCC Engineering & Surveying, Inc., and was filed with the City Clerk. A summary of the report was included with the June 18, 2018 City Council Meeting staff report.

The following table, which appeared as Table 1 in the Engineer's report and in the staff report for June 18, 2018, summarizes the proposed District Costs and assessment for FY 2018/19. The table has been clarified to indicate that the net amount to be assessed is equal to the sum of the total maintenance costs, less the estimated funds at the end of the current fiscal year, less the contribution by the City, plus the anticipated balance forward at the end of the next fiscal year. Amendment No. 1 (attached) incorporates the revised table into the Engineer's Report. An increase in assessment is not proposed for FY 2018/19.

		Lighting	Landscaping	Total Cost
(a)	Total Cost	389,790	1,169,369	1,559,159
(b)	Less Surplus 7-1-2018	(158,652)	(475,955)	(634,606)
(c)	Less Contributions	(214,447)	(643,340)	(857,787)
(d)	Plus Investment Payments	0	0	0
(e)	Plus Anticipated Balance Forward	194,129	528,387	776,516
(f)	Net Amount to be Assessed	210,821	632,462	843,282

The proposed expenditure of Street Lighting and Landscape Assessment District funds recommended for FY 2018/19 is \$1,559,159, as shown on "Table 2, Estimate of Cost" in the Engineer's Report.

On June 18, 2018 the City Council adopted Resolution No. 2018-081. This resolution (1) preliminarily approved the Engineer's Report; (2) declared the City's intention to levy and collect assessments for Fiscal Year 2018/19; (3) transferred \$857,787 from the General Fund; and (4) set a date for a public hearing for July 2, 2018 and directed the City Clerk to publish a notice of the public hearing pursuant to Streets and Highway Code Section 22626(b) and Government Code Section 6061. Assessments are not proposed to increase in Fiscal Year 2018/19.

In conformance with this resolution and the Landscaping and Lighting Act of 1972, the City Clerk published a notice of a Public Hearing as directed by Council. All written protests, if any, will be received and delivered to the City Clerk. At the Public Hearing, any interested person may speak on the proposed maintenance program, the budget, or assessment of cost. Any property owner may file a written protest concerning his/her assessment. During the course or upon conclusion of the hearing, the Council may order changes to any of the matters provided in the report with the exception that individual assessments may not be increased without notice. The Council may continue the hearing subject to approval of the County Auditor. In order to levy and collect assessments for Fiscal Year 2018/19, however, the Council must adopt the attached resolution confirming the Diagram and Assessment as amended prior to August 10, 2018.

FISCAL IMPACT

The proposed expenditure of Street Lighting and Landscape Assessment District funds recommended for FY 2018/19 is \$1,559,159. With total revenues projected at \$843,281, the total Street Lighting and Landscaping Assessment District expenditure budget approved for FY 2018/19 exceeds the projected Assessment District revenues and will require a subsidy of approximately \$715,878 from the General Fund to meet this shortfall.

ATTACHMENTS:

- Amendment No. 1 to Engineer's Report
- Proof of Publication