

Meeting Date: 7/22/2014

Report Type: Consent

Report ID: 2014-00503

Title: Citywide Landscaping and Lighting Assessment District – Initiate Annual Proceedings

Location: Citywide

Recommendation: Pass 1) a Resolution replacing Resolution No. 2014-0168 and directing filing of the Annual Report for Fiscal Year (FY) 2014/15 for the Citywide Landscaping and Lighting Assessment District; and 2) a Resolution replacing Resolution No. 2014-0169, approving Engineer's Annual Report and Intention to Order Maintenance of Improvements for FY2014/15 for the Citywide Landscaping and Lighting Assessment District, and setting a time and place for a Public Hearing for August 7, 2014.

Contact: Diane Morrison, Program Specialist, (916) 808-7535; Mark Griffin, Program Manager, (916) 808-8788, Department of Finance

Presenter: None

Department: Finance

Division: Public Improvement Finance

Dept ID: 06001321

Attachments:

1-Description/Analysis

2-Background

3-Schedule of Proceedings

4-Proposed FY2014-15 Citywide L&L District Budget Table

5-Resolution, Directing Filing of Annual Report

6-Resolution, Approving Engineer's Annual Report and Intention to Order Maintenance of Improvements

City Attorney Review

Approved as to Form

Gerald Hicks

7/14/2014 3:21:25 PM

Approvals/Acknowledgements

Department Director or Designee: Leyne Milstein - 7/7/2014 10:59:33 AM

Description/Analysis

Issue: The Citywide Landscaping and Lighting Assessment District (District) is required by the California Streets and Highways Code to present an annual report to City Council for approval. City Council approved the annual report with Resolutions Nos. 2014-0168 and 2014-0169 on June 10, 2014, authorizing the collection of assessments to fund maintenance of the improvements in the District for FY2014/15.

Since June 10, staff has evaluated a proposal to replace street light luminaires with energy efficient Light Emitting Diodes (LEDs) and found it to be an eligible use of District funds if the improvements are specified in the annual report and in the resolutions filing and adopting the annual report. As such, the attached resolutions replace the previously approved resolutions specifying LED improvements as a permissible use of District funds.

Policy Considerations: The District provides funding for a variety of operations and maintenance services throughout the City including arterial and intersection lighting, neighborhood street lighting, medians, street trees, neighborhood parks, and graffiti abatement. The District also funds park capital improvements. Inclusion of LED improvements as a permissible use of District funds will provide resources for replacing existing energy inefficient lighting with LEDs to not only save the City annually on energy costs but also help the City meet its Climate Action goals by reducing 12 million kWh and 3,400 MTCO₂ annually.

Environmental Considerations: Under California Environmental Quality Act guidelines, annual proceedings of a special district do not constitute a project, and are therefore exempt from review.

Rationale for Recommendation: The recommended actions in the attached Resolutions are required by the California Streets and Highways Code, as set forth in Section 22500 of the 1972 Act, for annual proceedings of an existing district.

Financial Considerations: Each year, the District assessment and budget are developed, taking into consideration several factors including the cost of services, the projected number of parcels in each assessment category, and the amount of projected surplus or deficit in the District fund balance at the end of the current fiscal year. As shown on Attachment 4, the proposed FY2014/15 District expenditure budget will total \$16,172,687, an increase of \$441,171 or 2.8 percent over the current FY2013/14 District expenditure budget.

The proposed increase in the FY2014/15 assessment by land use category is 2.79 percent, a percentage determined by the change in the April 2014 Consumer Price Index (CPI) associated with the San Francisco Area, All Items, but not to exceed three percent in any year. Based on this increase, the assessment totals \$15,196,291. The difference between the expenditure budget and the assessment is being funded from fund balance.

Local Business Enterprise (LBE): Not applicable.

BACKGROUND

The District, established in August of 1989, provides funding for the maintenance and rehabilitation of City parks and other public landscaped areas, street tree maintenance, and the energy and maintenance cost of streetlights throughout the City. Property owners are assessed in accordance with a series of benefit formulas adopted by City Council in 1989. Annual assessments are paid by property owners along with their regular county property taxes. Each year, the City must update and adopt the annual Engineer's Report and obtain approval of the assessment associated with the land use designation.

The budget is divided into three categories as described below. In addition to the maintenance activity, each category also contains a proportionate share of the administration and billing costs.

- 1) Street Related Operations and Maintenance: Safety lighting, neighborhood lighting, median maintenance, and street tree maintenance.
- 2) Bonded Indebtedness: A portion of the annual District budget goes toward the payment of debt service on 20-year bonds sold in 1996 to finance park improvements. These bonds will expire after tax year 2016.
- 3) Ongoing Park Maintenance, Park Improvements, and Graffiti Abatement: Park maintenance, graffiti abatement, and funding for park capital improvement projects. This portion of the assessment was approved by voters in November 1996.

The budget by category is provided in Attachment 4.

**SCHEDULE OF PROCEEDINGS
CITYWIDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT
FY2014/15 SCHEDULE**

June 10, 2014 Council Considers Resolution of Intention and Sets Date for Public Hearing

July 22, 2014	Council Considers Replacing Resolution of Intention adopted June 10, Adopting Revised Resolution of Intention and Setting Date for Public Hearing
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July 28, 2014 Publish Notice of Meeting and Hearing

August 07, 2014 Public Hearing: Council Orders Annual Levy

August 15, 2014 Assessments to County for Placement on Tax Roll

**PROPOSED FY2014/15 BUDGET FOR FUND 2232
CITYWIDE LANDSCAPING AND LIGHTING DISTRICT**

(Includes 2.79% CPI adjustment increase in assessments)

	Approved FY2013/14	Proposed FY2014/15
<u>Street Related Operations and Maintenance (O and M):</u>		
Safety Lighting and Medians	\$2,112,111	\$2,426,428
Neighborhood Street Lighting Maintenance	3,990,159	4,129,814
Tree Maintenance – Residential	3,743,484	3,874,506
Tree Maintenance – Non-Residential	1,478,174	1,312,741
Administration and Billing	<u>159,502</u>	<u>170,013</u>
Subtotal Street Related O and M	\$11,483,430	\$11,913,502
<u>Ongoing Park Maintenance:</u>		
Park Maintenance and Improvements	\$3,457,348	\$3,465,000
Graffiti Abatement	150,000	150,000
Administration and Billing	<u>51,770</u>	<u>52,335</u>
Subtotal Ongoing Park Maintenance:	\$3,659,118	\$3,667,335
<u>Bonded Indebtedness:</u>		
Park Capital Improvement Programs	\$581,750	\$584,525
Administration and Billing	<u>7,218</u>	<u>7,325</u>
Subtotal Bonded Indebtedness	\$588,968	\$591,850
TOTAL DISTRICT BUDGET	\$15,731,516	\$16,172,687
Fund Balance Offset	(939,353)	(976,396)
TOTAL ASSESSED TO PROPERTY OWNERS:	\$14,792,163	\$15,196,291

RESOLUTION NO.

Adopted by the Sacramento City Council

**DIRECTING FILING OF ANNUAL REPORT FOR THE
CITYWIDE LANDSCAPING AND LIGHTING
ASSESSMENT DISTRICT NO. 2 FOR FISCAL YEAR 2014/15
(Pursuant to Landscaping and Lighting Act of 1972)**

BACKGROUND:

- A. The Citywide Landscaping and Lighting Assessment District No. 2 (District), was established by the City Council on August 1, 1989. The City Council adopted Resolution No. 89-600 thereby approving Assessment District No. 2 for all developed properties within the City of Sacramento.
- B. The City Council established the District under the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 in the Streets and Highways Code, beginning with Section 22500) (the 1972 Act), and has previously levied assessments on property in the District to pay for landscaping and lighting maintenance services and related services to be provided within the District, all in accordance with the 1972 Act.
- C. On June 10, 2014, the City Council directed the Engineer of Work for the District to file an annual report in accordance with the provisions of the 1972 act with Resolution No. 2014-0168.
- D. Since June 10, 2014 a proposal to replace street light luminaries with energy efficient Light Emitting Diodes (LED's) has been found to be an eligible use of District funds if the improvements are specified in the annual report.
- E. It is necessary for the City Council to replace Resolution No. 2014-0168 and direct the Supervising Engineer of the Department of Public Works to file a replacement annual report specifying LED's to be an eligible improvement.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The City Council finds and determines that the background statements A through E are true and correct.
- Section 2. The City Council hereby replaces Resolution No. 2014-0168 and directs the Supervising Engineer of the Department of Public Works, the person designated by this Council as the Engineer of Work for the District, to file a replaced annual report in accordance with the provisions of the 1972 Act.
- Section 3. This resolution is adopted pursuant to Section 22622 of the Streets and Highways Code.

RESOLUTION NO.

Adopted by the Sacramento City Council

**APPROVING ENGINEER'S ANNUAL REPORT AND INTENTION TO ORDER
MAINTENANCE OF IMPROVEMENTS FOR THE CITYWIDE LANDSCAPING AND
LIGHTING ASSESSMENT DISTRICT NO. 2 FOR FISCAL YEAR 2014/15
(Pursuant to Landscaping and Lighting Act of 1972)**

BACKGROUND:

- A. The Citywide Landscaping and Lighting Assessment District (District) was established by the City Council on August 1, 1989, by adoption of Resolution No. 89-600.
- B. The City Council established the District under the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 in the Streets and Highways Code, beginning with Section 22500) (the 1972 Act), and has previously levied assessments on property in the District to pay for landscaping and lighting maintenance services and related services to be provided within the District; all in accordance with the 1972 Act.
- C. On June 10, 2014, the City Council approved the annual report and the intention to order maintenance of improvements with Resolution No. 2014-0169.
- D. Since June 10, 2014, a proposal to replace street light luminaries with energy efficient Light Emitting Diodes (LED's) has been found to be an eligible use of District funds if the improvements are specified in the annual report.
- E. It is necessary to replace the annual report and implement a new improvement maintenance order.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The City Council finds and determines that the background statements A through E are true and correct.
- Section 2. The City Council hereby replaces Resolution No. 2014-0169 and approves the replaced Engineer's Annual Report for Fiscal Year (FY) 2014/15 on file with Public Improvement Financing of the Department of Finance, designated by the City Clerk to be the repository of documents associated with special districts.
- Section 3. The City Manager is authorized to make any necessary budgetary adjustments associated with the approval of the Engineer's Annual Report for FY2014/15.
- Section 4. The City Council intends to levy and collect assessments within the

District during FY2014/15. The area of land to be assessed is located in the City of Sacramento, Sacramento County.

Section 5.

The maintenance or construction of improvements to be made in this assessment district is generally described as follows:

a) Maintenance of improvements:

(1) landscaping; (2) statuary fountains, and other ornamental structures and facilities; (3) all works or improvements used or useful for the lighting of public places, including ornamental standards, luminaries, poles, traffic signals, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances; (4) any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof including grading, clearing, removal of debris, curbs, gutters, walls, sidewalks, paving, water irrigation, drainage, or electrical facilities; (5) park and recreational improvements including, but not limited to, land preparation such as grading, leveling, cutting and filling, sod landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, play courts, and public restrooms; (6) the acquisition of land for park, recreational, or open-space purposes; and (7) any and all expenses incidental to the above.

b) Installation or construction of improvements:

(1) landscaping; (2) statuary fountains, and other ornamental structures and facilities; (3) all works or improvements used or useful for the lighting of public places, including ornamental standards, luminaries, poles, traffic signals, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances; (4) any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof including grading, clearing, removal of debris, curbs, gutters, walls, sidewalks, paving, water irrigation, drainage, or electrical facilities; (5) park and recreational improvements including, but not limited to, land preparation such as grading, leveling, cutting and filling, sod landscaping, irrigation systems, sidewalks and drainage, lights, playground equipment, play courts, and public restrooms; (6) the acquisition of land for park,

recreational, or open-space purposes; and (7) any and all expenses incidental to the above.

c) Substantial changes in existing improvements:

Replace existing street light luminaires with energy efficient light emitting diodes (LED's).

Section 6. In accordance with this Council's resolution directing the filing of an annual report, the Engineer of Work has filed with PIF the report required by the 1972 Act. All interested parties are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments upon assessable lots and parcels of land within the assessment district.

Section 7. At the hour of 6:00 pm on Thursday, August 07, 2014, the City Council will conduct a public hearing on the questions of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located in the City Hall, 915 I Street, First Floor, Sacramento, California.

Section 8. This year's assessments are an increase from the previous year and are equal to the highest authorized amount for this District shown on Exhibit A.

Section 9. The City Clerk is authorized and directed to give the notice of hearing required by the 1972 Act.

Section 10. Exhibit A is part of the resolution.

Table of Contents:

Exhibit A: Proposed Annual Parcel Assessments FY2014/15

EXHIBIT A

PROPOSED ANNUAL ASSESSMENTS FOR FY2014/15						
Assessment Components	Single Family Residence	Multi-Family Residence	Business Property (Parcel Square Ft.)			Church
			0-25,000	25,001-100,000	100,001 or more	
<p><u>Street Related O&M:</u></p> <p>Safety & Neighborhood Lighting Maintenance & Replacement Program, Median Maintenance & Construction, Tree Maintenance</p> <p>With Lights:</p> <p>Without Lights:</p>			\$118.79	\$593.94	\$1,235.38	\$33.94
	\$57.35	\$40.15				
	\$27.61	\$19.32				
<p><u>Bonded Indebtedness:</u></p> <p>CIP-Park Improvements</p>	\$3.09	\$2.10	\$4.62	\$23.12	\$48.10	\$1.32
<p><u>Park Facilities & Related O&M:</u></p> <p>Park Main., Youth Employment Program, Graffiti Abatement</p>	\$17.78	\$12.10	\$30.40	\$152.01	\$316.18	\$8.68
<p>Proposed Assessment:</p> <p>With Lights:</p> <p>Without Lights:</p>	\$78.22	\$54.35	\$153.81	\$769.07	\$1,599.66	\$43.94
	\$48.48	\$33.52				
<p><i>Current Year Assessment (FY13/14):</i></p> <p><i>With Lights:</i></p> <p><i>Without Lights:</i></p>	<i>\$76.54</i>	<i>\$53.18</i>	<i>\$151.76</i>	<i>\$758.71</i>	<i>\$1,578.10</i>	<i>\$43.35</i>
	<i>\$47.45</i>	<i>\$32.82</i>				
<p><i>Change in assessment with 2.79% CPI increase adjustment:</i></p> <p><i>With Lights:</i></p> <p><i>Without Lights:</i></p>	<i>\$1.68</i>	<i>\$1.17</i>	<i>\$2.05</i>	<i>\$10.36</i>	<i>\$21.56</i>	<i>\$0.59</i>
	<i>\$1.03</i>	<i>\$0.70</i>				