



## MEMORANDUM

**TO:** CITY COUNCIL

**FROM:** BILL ROBESON, PUBLIC WORKS DIRECTOR

**SUBJECT:** CONSIDERATION OF ADOPTION OF RESOLUTIONS ORDERING THE PREPARATION AND FILING OF ANNUAL ENGINEER'S REPORTS FOR THE PARKSIDE VILLAGE ASSESSMENT DISTRICT, GRACE LANE ASSESSMENT DISTRICT, AND LANDSCAPING AND LIGHTING DISTRICT NO. 1, WITHIN TRACT 1769, FOR FISCAL YEAR 2019-2020

**DATE:** APRIL 9, 2019

### **SUMMARY OF ACTION:**

Adoption of the Resolutions will authorize preparation of the Annual Engineer's Reports for the Parkside Village, Grace Lane and Tract 1769 Assessment Districts as required by the California Landscape and Lighting Act of 1972.

### **IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:**

For Fiscal Year 2018-2019, the total budgets for the three subject Assessment Districts were as follows:

- Parkside Village Assessment District \$ 30,000
- Grace Lane Assessment District \$ 13,300
- Landscaping and Lighting Assessment District No. 1 (Tract 1769) \$ 2,900

### **RECOMMENDATION:**

It is recommended the City Council adopt Resolutions ordering the preparation and filing of Annual Engineer's Reports for the Parkside Village Assessment District, Grace Lane Assessment District, and Landscaping and Lighting Assessment District No. 1, within Tract 1769, for Fiscal Year 2019-2020.

### **BACKGROUND:**

The California Landscape and Lighting Act of 1972 (California Streets and Highways Code 22500-22679) allows local governmental agencies to form assessment districts for the purpose of financing the costs and expenses of landscaping and lighting public areas. Accordingly, the City of Arroyo Grande formed the following three separate assessment districts in compliance with the California Landscape and Lighting Act of 1972:

<u>Tract Number</u>	<u>Assessment District Name</u>	<u>Date formed</u>
Tract 2310	Parkside Village Assessment District	November 8, 2005
Tract 2236	Grace Lane Assessment District	November 28, 2006
Tract 1769	Landscape and Lighting District No. 1	May 12, 1992

**CITY COUNCIL  
CONSIDERATION OF ADOPTION OF RESOLUTIONS ORDERING THE  
PREPARATION AND FILING OF ANNUAL ENGINEER'S REPORTS FOR THE  
PARKSIDE VILLAGE ASSESSMENT DISTRICT, GRACE LANE ASSESSMENT  
DISTRICT AND LANDSCAPING AND LIGHTING DISTRICT NO. 1, WITHIN TRACT  
1769) FOR FISCAL YEAR 2019-2020  
APRIL 9, 2019  
PAGE 2**

The California Streets and Highways Code requires that the City complete the following process each fiscal year in order to levy and collect assessments:

1. Adopt a Resolution describing any proposed new improvements or any substantial changes in existing improvements and ordering preparation and filing of an Engineer's Report.
2. Approve the Engineer's Report and adopt a Resolution of Intention. The Resolution of Intention declares the City Council's intention to levy and collect assessments under the subject assessment districts for the upcoming fiscal year. It also states whether the assessment is proposed to change from the previous year and sets a date, hour and place for a public hearing.
3. Conduct the public hearing affording all interested parties the opportunity to hear and be heard.
4. Adopt a Resolution confirming the assessment, which constitutes the levy of the assessments for the 2019-20 fiscal year.

Upon fulfillment of these requirements, the City must submit the assessments to the County of San Luis Obispo for inclusion on the Fiscal Year 2019-20 property tax roll.

**ANALYSIS OF ISSUES:**

The first step in the statutorily prescribed process contained in the California Streets and Highways Code requires that the City adopt a Resolution describing any proposed new improvements or any substantial changes in existing improvements and ordering the preparation and filing of an Engineer's Report. The subject Assessment Districts are largely responsible for covering expenses related to the public landscaping within the defined boundaries of the separate assessment districts.

No new improvements or substantial changes in existing improvements are proposed for Fiscal Year 2019-20.

**ADVANTAGES:**

Adoption of the Resolutions describing the existing improvements and ordering the preparation and filing of an Engineer's Report will be in compliance with California Streets and Highways Code, Section 22622.

**DISADVANTAGES:**

No disadvantages for this proposed action have been identified.

**CITY COUNCIL  
CONSIDERATION OF ADOPTION OF RESOLUTIONS ORDERING THE  
PREPARATION AND FILING OF ANNUAL ENGINEER'S REPORTS FOR THE  
PARKSIDE VILLAGE ASSESSMENT DISTRICT, GRACE LANE ASSESSMENT  
DISTRICT AND LANDSCAPING AND LIGHTING DISTRICT NO. 1, WITHIN TRACT  
1769) FOR FISCAL YEAR 2019-2020  
APRIL 9, 2019  
PAGE 3**

**ALTERNATIVES:**

The following alternatives are provided for the Council's consideration:

1. Adopt Resolutions ordering the preparation and filing of Annual Engineer's Reports for the Parkside Village Assessment District, Grace Lane Assessment District and Landscaping and Lighting Assessment District No. 1, within Tract 1769, for Fiscal Year 2018-19; or
2. Do not adopt the Resolutions and provide direction to staff.

**ENVIRONMENTAL REVIEW:**

No environmental review is required for this item.

**PUBLIC NOTIFICATION AND COMMENTS:**

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2.

## RESOLUTION NO.

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING THE PREPARATION AND FILING OF THE ANNUAL ENGINEER'S REPORT FOR THE PARKSIDE VILLAGE ASSESSMENT DISTRICT FOR FISCAL YEAR 2019-2020

**WHEREAS**, the owner (Parkside Village, LLC) of Lots 1 through 67, Tract 2310, requested the City form a maintenance assessment district, commonly referred to as the Parkside Village Assessment District to provide a means to finance the costs of maintenance, operation, and service of certain specified improvements; and

**WHEREAS**, on November 8, 2005, the City Council of the City of Arroyo Grande adopted Resolution No. 3888 ordering the formation of the Parkside Village Assessment District under Part 2 of Division 15 of the California Streets and Highways Code 22500-22509 (Landscape and Lighting Act of 1972), which allows local governmental agencies to form assessment districts for the purpose of financing the costs and expenses of landscaping and lighting public areas; and

**WHEREAS**, the said improvements in the Parkside Village Assessment District include but are not limited to: Landscaping bordering Farroll Road, Bakeman Road Entrances, behind and along Bakeman Lots 10, 11, 12 and 13 of Phase 1, mini park pedestrian pathway easement and drainage basin; fencing, gates and walls bordering Farroll Road, Bakeman Road Entrances, behind and along Bakeman Lots 10, 11, 12 and 13, park and drainage basin; the pathway easement, lighting and all improvements between lots 1, 2, and 3 between Dixson Street and the mini park, the mini park and all improvements to include walkways, play area, benches and basketball court on Lot 24; the drainage retention basin and all improvement including the water separator on Lot 25 and French drains along the East boundary of Tract 2310-2; and

**WHEREAS**, in order to levy and collect an annual assessment for the Parkside Village Assessment District, it is necessary for the City to comply with Streets and Highways Code, Section 22620 et seq.; and

**WHEREAS**, Streets and Highways Code Section 22622 requires the City to adopt a Resolution that generally describes any proposed new improvements or any substantial changes in existing improvements and order the preparation and filing of an engineer's report; and

**WHEREAS**, the City Council, at its meeting of April 9, 2019, received a report from the Public Works Director advising the City Council that no new improvements or substantial changes in existing improvements are proposed for the Parkside Village Assessment District.

**RESOLUTION NO.**  
**PAGE 2**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Arroyo Grande, as follows:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Pursuant to Streets and Highways Code Section 22622, the City Council determines that no new improvements or any substantial changes in existing improvements are proposed within the boundaries of the Parkside Village Assessment District.
3. The City Council orders the preparation and filing of an Engineer's Report for the Parkside Village Assessment District in accordance with Streets and Highways Code Section 22565.

On motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and by the following roll call vote, to wit:

**AYES:**  
**NOES:**  
**ABSENT:**

the foregoing Resolution was passed and adopted this \_\_\_\_\_ day of April, 2019.

**RESOLUTION NO.  
PAGE 3**

---

**CAREN RAY RUSSOM, MAYOR**

**ATTEST:**

---

**KELLY WETMORE, CITY CLERK**

**APPROVED AS TO CONTENT:**

---

**JAMES A. BERGMAN, CITY MANAGER**

**APPROVED AS TO FORM:**

---

**HEATHER K. WHITHAM, CITY ATTORNEY**

## RESOLUTION NO.

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING THE PREPARATION AND FILING OF THE ANNUAL ENGINEER'S REPORT FOR THE GRACE LANE ASSESSMENT DISTRICT FOR FISCAL YEAR 2019-2020

**WHEREAS**, the owner (Vista Roble, LLC) of Lots 1 through 19, Tract 2236, petitioned the City to form a maintenance assessment district, commonly referred to as the Grace Lane Assessment District to provide a means to finance the costs of maintenance, operation, and service of certain specified improvements; and

**WHEREAS**, on November 28, 2006, the City Council of the City of Arroyo Grande adopted Resolution No. 3976 ordering the formation of the Grace Lane Assessment District under Part 2 of Division 15 of the California Streets and Highways Code 22500-22679 (Landscape and Lighting Act of 1972), which allows local governmental agencies to form assessment districts for the purpose of financing the costs and expenses of landscaping and lighting public areas; and

**WHEREAS**, the said improvements in the Grace Lane Assessment District include but are not limited to: 1) a pedestrian trail across the open space property (Lot B) including, but not limited to, the existing informal hiking trail currently passing through Lot B, signage, fencing; 2) common areas and facilities, including but not limited to the open space parcels and drainage facilities; 3) open space and maintenance thereof in accordance with fuel modification specifications as described in Mitigation Measure No. 15 in Resolution No. 3732 of the City Council of the City of Arroyo Grande; and 4) a private drive and associated improvement for Lots 16 through 19; and

**WHEREAS**, in order to levy and collect an annual assessment for the Grace Lane Assessment District, it is necessary for the City to comply with Streets and Highways Code, Section 22620 et seq.; and

**WHEREAS**, Streets and Highways Code Section 22622 requires the City to adopt a Resolution that generally describes any proposed new improvements or any substantial changes in existing improvements and order the preparation and filing of an engineer's report; and

**WHEREAS**, the City Council, at its meeting of April 9, 2019, received a report from the Public Works Director advising the City Council that no new improvements or substantial changes in existing improvements are proposed for the Grace Lane Assessment District.

**RESOLUTION NO.**  
**PAGE 2**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Arroyo Grande, as follows:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Pursuant to Streets and Highways Code Section 22622, the City Council determines that no new improvements or any substantial changes in existing improvements are proposed within the boundaries of the Grace Lane Assessment District.
3. The City Council orders the preparation and filing of an Engineer's Report for the Grace Lane Assessment District in accordance with Streets and Highways Code Section 22565.

On motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_, and by the following roll call vote, to wit:

**AYES:**  
**NOES:**  
**ABSENT:**

the foregoing Resolution was passed and adopted this \_\_\_\_\_ day of April, 2019.



**RESOLUTION NO.  
PAGE 3**

\_\_\_\_\_  
**CAREN RAY RUSSOM, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**KELLY WETMORE, CITY CLERK**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
**JAMES A. BERGMAN, CITY MANAGER**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**HEATHER K. WHITHAM, CITY ATTORNEY**

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE ORDERING THE PREPARATION AND FILING OF THE ANNUAL ENGINEERS REPORT FOR THE ARROYO GRANDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, WITHIIN TRACT 1769, FOR FISCAL YEAR 2019-2020**

**WHEREAS**, the property owners of Arroyo Grande, Tract 1769, petitioned the City to form a landscaping and lighting assessment district, commonly referred to as Tract 1769, to provide means to finance the costs of maintenance, operation, and service of certain specified improvements; and

**WHEREAS**, on May 12, 1992, the City Council of the City of Arroyo Grande adopted Resolution No. 2932 ordering the formation of Arroyo Grande Landscaping and Lighting Assessment District No. 1, within Tract 1769, under Part 2 of Division 15 of the California Streets and Highways Code 22500-22509 (Landscape and Lighting Act of 1972), which allows local governmental agencies to form assessment districts for the purpose of financing the costs and expenses of landscaping and lighting public areas; and

**WHEREAS**, said improvements in the Landscaping and Lighting Assessment District No. 1 include but are not limited to: landscaping and ornamental vegetation in the public rights of way; and

**WHEREAS**, in order to levy and collect an annual assessment for Landscaping and Lighting Assessment District No. 1, it is necessary for the City to comply with Streets and Highways Code, Section 22620 et seq.; and

**WHEREAS**, Streets and Highways Code Section 22622 requires the City to adopt a Resolution that generally describes any proposed new improvements or any substantial changes in existing improvements and order the preparation and filing of an engineer's report; and

**WHEREAS**, the City Council, at its meeting of April 9, 2019, received a report from the Public Works Director advising the City Council that no new improvements or substantial changes in existing improvements are proposed for Landscaping and Lighting Assessment District No. 1, within Tract 1769.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Arroyo Grande, as follows:

1. The foregoing recitals are true and correct and are incorporated herein.

**RESOLUTION NO.**  
**PAGE 2**

2. Pursuant to Streets and Highways Code Section 22622, the City Council determines that no new improvements or any substantial changes in existing improvements are proposed within the boundaries of Landscaping and Lighting Assessment District No. 1, within Tract 1769.
3. The City Council orders the preparation and filing of an engineer's report for Landscaping and Lighting Assessment District No. 1, within Tract 1769 in accordance with Streets and Highways Code Section 22565.

On motion of Council Member \_\_\_\_\_, seconded by Council Member \_\_\_\_\_,  
and by the following roll call vote, to wit:

**AYES:**

**NOES:**

**ABSENT:**

the foregoing Resolution was passed and adopted this \_\_\_\_\_ day of April, 2019.

**RESOLUTION NO.  
PAGE 3**

---

**CAREN RAY RUSSOM, MAYOR**

**ATTEST:**

---

**KELLY WETMORE, CITY CLERK**

**APPROVED AS TO CONTENT:**

---

**JAMES A. BERGMAN, CITY MANAGER**

**APPROVED AS TO FORM:**

---

**HEATHER K. WHITHAM, CITY ATTORNEY**