



STAFF REPORT

CITY of YORBA LINDA

PUBLIC WORKS DEPARTMENT

DATE: MARCH 1, 2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JAMIE LAI, P.E., DIRECTOR OF PUBLIC WORKS/CITY ENGINEER
PREPARED BY: AUSTIN POSTOVOIT, SENIOR MANAGEMENT ANALYST

SUBJECT: ADOPTION OF RESOLUTION NO. 2022-5790 INITIATING PROCEEDINGS
RELATIVE TO LEVYING ANNUAL STREET LIGHTING AND LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT (LMAD) ASSESSMENTS FOR
FISCAL YEAR 2022/2023

RECOMMENDATION

It is recommended that the City Council adopt proposed Resolution No. 2022-5790, initiating proceedings to levy annual assessments for Fiscal Year 2022/2023 for the Street Lighting and Landscape Maintenance Assessment District (LMAD), and ordering the Engineer to prepare and file a report in accordance with the Landscaping and Lighting Act of 1972 (Streets and Highways Code).

BACKGROUND

The City's LMAD was formed pursuant to the Landscaping and Lighting Act of 1972, which is included in the State of California Streets and Highways Code Division 15, Part 2, and the provisions of the California Constitution, Article XIII D (commonly referred to as Proposition 218). Under such provisions, the City annually levies and collects special assessments for the City's LMAD in order to provide and maintain various landscaping, lighting and traffic signal improvements throughout the City that provide benefits to properties within the LMAD. To that end, annually, the City is required to prepare an Engineer's Report identifying the proposed assessments for the fiscal year and setting forth the proposed changes and/or new improvements as well as describing the servicing, maintenance, and operation of the public lighting and landscaping maintenance facilities within the City. The City has an existing professional services agreement with Willdan Financial Services to prepare the Engineer's Report and perform associated services.

DISCUSSION

The proposed Resolution orders the preparation and filing of an Engineer's Report in accordance with the Streets and Highways Code of the State of California (Section 22622). The LMAD is an allowable method to service, maintain and operate street lighting, traffic

signals, and landscape improvements and facilities, with the special benefit costs of those various improvements being proportionately assessed on those properties within the District that receive special benefits from the servicing, maintenance and operation of those improvements. The first step in the process involves the adoption of a resolution ordering the Engineer to prepare and file a report. The procedural steps necessary to levy the annual assessment are briefly summarized as follows:

1. Adopt a resolution initiating proceedings and ordering the Engineer to prepare and file a report for Fiscal Year 2022/2023.
2. Adopt a resolution approving the Engineer's Report and adopt a resolution declaring the intention to levy and collect assessments and setting a public hearing date. Both resolutions are tentatively scheduled for the May 17, 2022, City Council meeting.
3. Conduct a public hearing and adopt a resolution confirming the levying of assessments, which is tentatively scheduled for the June 7, 2022, City Council meeting.

FISCAL IMPACT

Funds necessary for the development of the annual Engineer's Report are included in the current fiscal year's approved LMAD Operating budget (2010350-431480).

ALTERNATIVES

Do not adopt Resolution No. 2022-5790. This would hinder the City's ability to assess properties for funding of the assessment district

ATTACHMENTS

1. Resolution No. 2022-5790.
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