CITY MANAGER'S REPORT APRIL 8, 2019 CITY COUNCIL REGULAR MEETING

ITEM 4.10

ITEM:

APPROVAL OF THE PRELIMINARY ENGINEER'S **REPORT AND DECLARATION OF INTENTION TO LEVY** ANNUAL ASSESSMENTS FOR FISCAL YEAR 2019/20 MAINTENANCE LIGHTING FOR INDUSTRIAL DISTRICT; RESIDENTIAL LIGHTING MAINTENANCE DISTRICT; MOSSDALE LANDSCAPE AND LIGHTING DISTRICT; STONEBRIDGE MAINTENANCE LANDSCAPE MAINTENANCE DISTRICT; STONEBRIDGE DRAINAGE AND LIGHTING DISTRICT; STORM DRAIN DISTRICT ZONE 1; AND STORM DRAIN **DISTRICT ZONE 1A**

RECOMMENDATION:

Council to Consider the Following:

- **1.** Adopt a Resolution Approving the Preliminary Engineer's Report for the Industrial Lighting Maintenance District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20
- 2. Adopt a Resolution Approving the Preliminary Engineer's Report for the Residential Lighting Maintenance District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20
- 3. Adopt a Resolution Approving the Preliminary Engineer's Report for the Mossdale Landscape and Lighting Maintenance District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20
- 4. Adopt a Resolution Approving the Preliminary Engineer's Report for the Stonebridge Landscape Maintenance District and the Stonebridge Drainage & Lighting District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20
- 5. Adopt a Resolution Approving the Preliminary Engineer's Report for the Storm Drain Districts Zones 1 and 1A and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20

SUMMARY:

Each year, City Staff prepares annual budgets for the City's maintenance assessment districts for City Council review. By way of their assessments, these districts provide the funding for a broad scope of City services including: park & street landscape maintenance, street lighting, and storm drain system maintenance. Ideally, the districts are structured to collect enough revenue to fund their expenditures. Listed below are the districts with current and proposed assessment rates:

	FY 18/19	FY 19/20		· · · · · · · · · · · · · · · · · · ·
District	Rates	Proposed Rates	% Change	Notes
	,			Levy needed to minimize draw on
Mossdale LLMD	\$260.25	\$268.06	3.00%	reserve
Storm Drain Zone 1	\$112.52	\$112.52	0.00%	Rate unchanged since FY 1996/97
Storm Drain Zone 1A	\$199.92	\$199.92	0.00%	Rate unchanged since FY 1996/97
				Increased levy needed to minimize draw
Stonebridge LMD	\$225.06	\$265.64	18.03%	on reserve
	,	*		Increased levy needed to minimize draw
Stonebridge BAD	\$225.06	\$236.32	5.00%	on reserve
	r	2		Max Levy needed to minimize draw on
Industrial LMD	\$7.52 or \$38.35	\$7.75 or \$39.50	3.00%	reserve
				Max Levy needed to minimize draw on
Residential LMD	\$7.46 to \$56.71	\$7.79 to \$59.26	3.00%	reserve

Four (4) out of seven (7) Districts present "General Benefit" costs that require funding from sources other than the assessments collected by the districts. General Benefit is the benefit of the improvements on the public at large. Therefore, the General Fund covers these costs because the City benefits overall from these portions of the improvements. The general benefit cost for all districts for Fiscal Year 2019/20 is \$29,637.

The Storm Drain District Zone 1A requires a general fund subsidy in the amount of \$19,723. This district does not generate sufficient revenue to cover its operating expenses. The total amount needed from the General Fund to cover the shortfall, and the required General Benefit costs of all other districts is \$49,360.

Tonight, Staff recommends City Council approve the districts' preliminary Engineer's Reports and declare its intention to levy annual assessments for Fiscal Year 2019/20. After tonight's actions, notices will be published and mailed to the affected property owners regarding the public hearing. The public hearing will be scheduled for May 13, 2019 at 7:00 p.m.

BACKGROUND:

Each year, City Staff bring the maintenance assessment districts to City Council for review and approval. Ideally, a maintenance district is created to pay for the costs of ongoing maintenance and operations of improvements which may include public landscaping, park sites, street lighting and storm drainage that provide special benefit to properties in given areas of the City. Special benefit is defined as that benefit, over and above the general benefit provided by the improvements, which is conferred upon parcels within an assessment district, as identified and measured by the formation assessment engineer. Within the City of Lathrop, there are eight (8) maintenance assessment districts (seven (7) of which are included in this report): four (4) Landscaping and Lighting Maintenance Districts (LLMD) and three (3) Benefit Assessment Districts (BAD). Each district levies assessments according to the method of apportionment of assessment to provide funding for the district's budgeted expenditures attributable to the operation and maintenance activities of the services provided.

Most public landscaping and street lights along Lathrop's streets and entrances to various residential communities ("medians") are maintained through LLMDs. Additionally, the City has a number of parks maintained by LLMDs; most of which are included in the districts that comprise this report. Many of the storm drain systems in Historical Lathrop are maintained through the BADs. Property owners in the LLMDs and BADs are levied an annual assessment for ongoing maintenance based on each LLMD and BAD method of apportionment of assessment. The assessments are paid by the property owners via payment of each parcel's secured property tax bill.

Annually, Staff evaluates the anticipated costs for maintenance for the upcoming year. This analysis takes into consideration any increases in costs as well as cost savings realized. Some of the costs include: routine maintenance and mowing contracts; equipment repair; weed abatement; shrub and tree pruning; radios and computers; irrigation parts and controllers; water; electricity; fertilizer and other chemicals; vehicles and vehicle maintenance; street lighting repairs; storm drain system maintenance; and other administrative costs to operate the maintenance In addition to ongoing, annual expenditures, sometimes assessment districts. extraordinary maintenance and/or small asset replacement is needed due to the limited useful lives of the assets (e.g. the overhaul/replacement of storm drain pumps, the replacement of a dead tree, or the replacement of a downed street light.)

An annual budget is then developed using these cost estimates. The total costs are divided among the parcels in each district based on the proportionate share of benefit received from the improvements. The proposed assessments are then reviewed and approved each year by the City Council during a public hearing process.

By law, maximum annual assessments may only be adjusted by the formula amount property owners approved at the time of district formation. This amount is typically either a fixed percentage (e.g. 3%) or an annual measure of a Consumer Price Index

(CPI) or a combination of the two, and is frequently referred to as the "annual escalation factor". This annual escalation factor exists to maintain district revenue purchasing power. When purchasing power is maintained, a district should have sufficient funding to perform its operations and maintenance at a given level of service in perpetuity. Any proposed assessment requiring an assessment greater than the maximum assessment, requires the approval of the property owners via the Proposition 218 balloting process. Each of the City's districts has a maximum assessment amount; however some of the districts lack an annual escalation factor. This means in these districts while expenses have increased over time due to inflation revenue stays the same, which creates annual shortfalls in these districts.

City Council may authorize any level of assessment up to the maximum assessment. Given this ability, Council could decide to levy the maximum assessment, if the proposed budget required it. However, if it is determined that the maximum is not needed, Council could lower the actual annual assessment and only calculate the maximum assessment for archive purposes.

The Preliminary Engineer's Reports are available in the City Clerk's office and the Public Works Department for review and copies will be available at the City Council meeting by request.

The following subsections summarize the district-specific information for each maintenance district:

(1) Industrial Lighting Maintenance District

The Lathrop Industrial Lighting Maintenance District was created to pay for the maintenance of the public lighting within commercial and industrial areas of the City. The Fiscal Year 2019/20 maximum assessment rates have increased by 3.00%, which is the applicable annual escalation factor approved by the property owners. The Fiscal Year 2019/20 proposed assessment rates are the maximums.

District/Zone	FY 2018/19 Annual Assessment Rate per EDU*	Proposed FY 2019/20 Annual Assessment Rate per EDU*	Variance	Maximum FY 2019/20 Assessment Rate per EDU*
Industrial LMD - Zone A	\$7.52	\$7.75	\$0.23	\$7.75
Industrial LMD - Zone B	\$38.35	\$39.50	\$1.15	\$39.50
Industrial LMD - Zone C		\$7.75	\$0.23	\$7.75

*EDU = Equivalent Dwelling Unit

The District will receive \$56,693.42 in assessment revenue plus a General Benefit Contribution from the General Fund of \$12,158 for a total of \$68,851.42. The total estimated expenditures are anticipated to be \$61,156. The fund balance at the

beginning of Fiscal Year 2019/20 is estimated to be \$100,788.05 which will increase by \$7,695.42 to \$108,483.47 at the end of Fiscal Year 2019/20.

(2) Residential Lighting Maintenance District

The Lathrop Residential Lighting Maintenance District was created on May 18, 1999 to pay for the operation and maintenance of street lighting to benefit residential areas in East Lathrop.

The Fiscal Year 2019/20 maximum assessment rates have increased by 4.499%, which is the applicable annual escalation factor approved by the property owners. The District is required to maintain a reserve fund of approximately 50% of its annual revenues and expenses; thus, it is proposed for the District to be assessed at its maximum assessment. The largest annual increase per EDU is in Zone E at \$2.55 annually or approximately \$0.21 per month.

District/Zone	FY 2018/19 Annual Assessment Rate per EDU*	Proposed FY 2019/20 Annual Assessment Rate per EDU*	Variance	Maximum FY 2019/20 Assessment Rate per EDU*
Residential LMD - Zone A	\$41.16	\$43.01	\$1.85	\$43.01
Residential LMD - Zone B	\$44.10	\$46.09	\$1.99	\$46.09
Residential LMD - Zone C	\$29.00	\$30.30	\$1.30	\$30.30
Residential LMD - Zone D	\$53.94	\$56.37	\$2.43	\$56.37
Residential LMD - Zone E	\$56.71	\$59.26	\$2.55	\$59.26
Residential LMD - Zone F	\$32.62	\$34.08	\$1.46	\$34.08
Residential LMD - Zone G	\$7.46	\$7.79	\$0.33	\$7.79
*EDU = Equivalent Dwellin	g Unit			

The District will receive \$126,809.50 in assessment revenues plus a General Benefit contribution from the General Fund of \$8,565 for a total of \$135,374.50. The total estimated expenditures are anticipated to be \$122,484. The fund balance at the beginning of Fiscal Year 2019/20 is estimated to be \$162,144.15 which will increase by \$12,890.50 to \$175,034.65 at the end of Fiscal Year 2019/20.

(3) Mossdale Landscape and Lighting Maintenance District

On June 15, 2004, Mossdale property owners approved the creation of the Mossdale Landscape and Lighting Maintenance District to provide funding to maintain the landscaping, park sites, and street lighting for the District. The maximum assessment for Fiscal Year 2019/20 will increase by 3 percent; this is the applicable annual escalation factor approved by the property owners at the time of district formation. The Fiscal Year 2019/20 maximum assessment rate per single-family and multi-family unit is \$276.10. The Fiscal Year 2019/20 assessment rate is \$268.06 because a financial review of the District shows that this rate will continue the required level of service.

The District will receive \$578,580.68 in assessment revenues and expenditures are anticipated to be at \$705,894. The fund balance at the beginning of Fiscal Year 2019/20 is estimated to be \$364,631.57, which will be reduced by \$127,313.32 to \$237,318.25 by the end of Fiscal Year 2019/20.

. \	Assessment Rate	Proposed FY 2019/20 Annual Assessment Rate		Maximum FY 2019/20 Assessment Rate
District	per EDU*	per EDU*	Variance	per EDU*
Mossdale LLMD	\$260.25	\$268.06	\$7.81	\$276.10

(4) Stonebridge Landscaping District Stonebridge Drainage and Lighting Maintenance District

Stonebridge Landscaping District

The Stonebridge Landscape District was created to pay for the service, operation and maintenance of the common area street landscaping, and Stonebridge Park. The Fiscal Year 2019/20 maximum assessment rate of \$417.89 represents an increase of 5% over that of Fiscal Year 2018/19, which is the applicable annual escalation factor approved by property owners. The annual assessment to be levied is proposed to beset at \$265.64. This is increased from the rate that was assessed in Fiscal Year 2018/19. This increased assessment is required to minimize the draw on the reserve fund.

The Landscape District will receive \$239,872.92 in assessment revenues plus a General Benefit Contribution from the General Fund of \$4,457, and rent and concessions of \$1,000 for a total of \$245,330. The total estimated expenditures are anticipated to be \$287,874. The fund balance at the beginning of Fiscal Year 2019/20 is estimated to be \$93,404.58, which will decrease by \$42,544.08 to \$50,860.50 at the end of Fiscal Year 2019/20.

District	FY 2018/19 Annual Assessment Rate per EDU*	Proposed FY 2019/20 Annual Assessment Rate per EDU*	Variance	Maximum FY 2019/20 Assessment Rate per EDU*
Stonebridge Landscaping	\$225.06	\$265.64	\$40.58	\$417.89

Stonebridge Drainage and Lighting District

The Stonebridge Drainage and Lighting District was created to pay for the service, operation and maintenance of the street lighting, and storm drain facilities within the Stonebridge development. The Fiscal Year 2019/20 maximum assessment rate of \$417.89 represents an increase of 5% over that of Fiscal Year 2018/19, which is the applicable annual escalation factor approved by property owners. The annual

CITY MANAGER'S REPORT

APRIL 8, 2019 CITY COUNCIL REGULAR MEETING FISCAL YEAR 2019/20 ASSESSMENTS FOR ALL MAINTENANCE DISTRICTS EXCEPT WOODFIELD PARK

assessment to be levied is proposed to be set at \$236.32. This is increased from the rate that was assessed in Fiscal Year 2018/19. This increased assessment is required to minimize the draw on the reserve fund.

The Drainage and Lighting District will receive \$213,160.64 in revenue plus a General Benefit contribution from the General Fund of \$4,457 for a total of \$ 217,617.64. The total estimated expenditures are anticipated to be \$312,815. The fund balance at the beginning of Fiscal Year 2019/20 is estimated to be \$356,130.87 which will decrease by \$95,197.36 to a balance of \$260,933.51 at the end of Fiscal Year 2019/20. Reserve funds are intended to be used for annual operating shortfall coverage, cash flow timing financing, and/or extraordinary maintenance/repair funding.

FY 2018/19 Annual Assessment Rate per		Proposed FY 2019/20 Annual Assessment Rate per		Maximum FY 2019/20 Assessment Rate
District	EDU*	EDU*	Variance	per EDU*
Stonebridge Drainage &				
Lighting	\$225.06	\$236.32	\$11.26	\$417.89

*EDU = Equivalent Dwelling Unit

(5) Storm Drain Districts Zone 1 and Zone 1A

On June 6, 1989, property owners approved a ballot measure for storm drainage maintenance fees for the Lathrop Storm Drain District, City Zone 1. In 1993, the City annexed an additional Storm Drain Maintenance District incorporating the area known as City Zone 1A (Crossroads Development).

These districts were created without any annual escalation factor for the maximum assessment and both districts have been levied at their static maximum assessments for many years. Over the last few fiscal years, inflationary effects have occurred on ordinary expenditures, asset replacements have been necessary, and assessment revenue remained static; thus, District deficits have occurred. Without a modification, sizeable deficits in future fiscal years are possible. In order to change this, a Proposition 218 balloting of the districts' property owners would have to be successfully completed. While this is not proposed for Fiscal Year 2019/20, the City may wish to consider this action for a future fiscal year.

For Fiscal Year 2019/20, Zone 1 is projected to have sufficient assessment revenue, along with a contribution from the reserves, to keep operations at the current required levels of service. Contrarily, Zone 1A will need to draw the remaining funds from the capital reserves of \$212 and a \$19,723 General Fund subsidy to continue to operate at the current required levels of service.

Storm Drain Zone 1 will receive \$239,141.44 in assessment revenues and expenditures are expected to be \$292,510. The fund balance at the beginning of

Fiscal Year 2019/20 is estimated at \$152,988.54 which will decrease by \$53,368.56 to \$99,619.98 at the end of Fiscal Year 2019/20.

Storm Drain Zone 1A will receive \$113,364 in assessment revenues and expenditures are expected to be \$133,299. There are no reserve funds expected to be remaining at the beginning of Fiscal Year 2019/20. Zone 1A will need to draw the remaining funds from the capital reserves of \$212. A General Fund subsidy of \$19,723 is needed to maintain the current required levels of service.

	FY 2018/19 Annual Assessment Rate	Proposed FY 2019/20 Annual Assessment Rate		Maximum FY 2019/20 Assessment Rate
District	per EDU*	per EDU*	Variance	per EDU*
Storm Drain - Zone 1	\$112.52	\$112.52	\$0.00	\$112.52
Storm Drain - Zone 1A	\$199.92	\$199.92	\$0.00	\$199.92

REASON FOR RECOMMENDATION:

Staff has prepared Preliminary Engineer Reports and annual budgets for the service, operation and maintenance of all the districts in order to establish the annual assessments, which provide the funding for said services that benefit parcels within the districts.

Upon adoption of the attached Resolutions, the Preliminary Engineer Reports will be approved and the Council will declare its intention to levy annual assessments for Fiscal Year 2019/20 and a public hearing will be scheduled for May 13, 2019 at 7:00 p.m., to permit public testimony. Written protests will be accepted from property owners until the close of the public hearing. At the close of the public hearing, the City Council may approve the Engineer Reports as submitted or amend them and order the levy and collection of the assessments.

COUNCIL GOALS ADVANCED BY THIS AGENDA ITEM:

Promoting Community Values by maintaining Parks, Recreation, and Community Services to its required service levels.

FISCAL IMPACT:

The proposed Fiscal Year 2019/20 assessments for the Residential Lighting Maintenance District and Industrial Lighting Maintenance District fully fund the budgeted expenditures to maintain the current required levels of service within each of the districts.

In Mossdale Landscape and Lighting District, Stonebridge Landscaping District, Stonebridge Drainage & Lighting District, and Storm Drain District Zone 1,

expenditures exceed revenue; however these districts have sufficient funding within their Fund Balance reserves to cover the shortfalls.

Storm Drain District Zone 1A has expenditures which exceed revenues. City Staff proposes the use of the District's capital reserves reserve of \$212 to partially fund the deficit; and, in order to maintain the current required service levels in the District, a General Fund subsidy to cover the remaining \$19,723 deficit.

In four (4) of the districts, there are "General Benefit" costs that require funding from sources other than the assessments collected by the districts, as quantified by the formation assessment engineer. General Benefit is defined as the benefit of the improvements on the public at large. Therefore, the General Fund funds these costs because the city benefits overall from these improvements. The Fiscal Year 2019/20 General Benefit costs for each of the four (4) districts are:

District	General Benefit Amount
Industrial Lighting Maintenance District	\$12,158
Residential Lighting Maintenance District	\$8,565
Stonebridge Drainage and Lighting District	\$4,457
Stonebridge Landscape District	\$4,457
Total General Benefit Cost	\$29,637

The total amount needed from the General Fund to cover the General Benefit costs and the Storm Drain Zone 1A subsidy is \$49,360.

ATTACHMENTS:

- A. A Resolution Approving the Preliminary Engineer's Report for the Industrial Lighting Maintenance District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20
- B. A Resolution Approving the Preliminary Engineer's Report for the Residential Lighting Maintenance District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20
- C. A Resolution Approving the Preliminary Engineer's Report for the Mossdale Landscape and Lighting Maintenance District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20
- D. A Resolution Approving the Preliminary Engineer's Report for the Stonebridge Landscape Maintenance District and the Stonebridge Drainage & Lighting District and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20

- E. A Resolution Approving the Preliminary Engineer's Report for the Storm Drain Districts Zones 1 and 1A and Declaring Intention to Levy Annual Assessments for Fiscal Year 2019/20
- F. District Diagrams for All Districts

* Note - Preliminary Engineer's Reports are available for review in the City Clerk's Office.

APPROVALS:

Sandra Frias Budget Manager

Vanissa R. Porn

Vanessa Portillo Deputy Finance Director

Cari James

Director of kinance

Salvador Navarrete **City Attorney**

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Stephen Salvatore City Manager

3/27/19

Date

3.27.19

Date

3/21

Date

27-19

Date

4-1-19

Date

ATTACHMENT A

RESOLUTION NO. 19-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR THE INDUSTRIAL LIGHTING MAINTENANCE DISTRICT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2019/20

WHEREAS, the City Council has by previous Resolutions formed the Lathrop Industrial Lighting Maintenance District (hereafter referred to as the "District"), and initiated proceedings for Fiscal Year 2019/20 pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Joaquin for the City of Lathrop to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained NBS for the purpose of assisting with the Annual Levy of the District, and to prepare and file a report with the City Clerk in accordance with the Act; and,

WHEREAS, the City Council has previously called for the preparation of an Engineer's Report and Annual Levy Report (collectively referred to herein as the "Report") for the district known as the Lathrop Industrial Lighting Maintenance District; and

WHEREAS, the Report has now been presented to the City Council; and

WHEREAS, the Report includes the District's budget and assessments and contains the data necessary to determine the special benefit conferred upon each property included in the District; and

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and amended on April 8, 2019, and is preliminarily satisfied with the Lathrop Industrial Lighting Maintenance District, and all of the budget items and charges, and is satisfied that the levy amounts, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements, operation, maintenance and services performed in and provided by the District;

NOW, THEREFORE, BE IT RESOLVED that the following actions shall be taken:

<u>Section 1</u> Intention: The City Council hereby declares that it is its intention to seek the Annual Levy of the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs of the improvements.

Section 2 Description of Improvements and any substantial changes proposed: The improvements within the District include: the operation, administration, maintenance and servicing of all street lighting improvements and appurtenant facilities and expenses associated with the District. The Report, attached hereto as Exhibit "A" and incorporated herein by this reference is hereby approved on a preliminary basis and ordered to be filed with this Resolution in the Office of the City Clerk as a permanent record. Such Report shall remain open to public inspection. The Report provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District, within the incorporated City Limits of the City, within the County of San Joaquin, State of California. Also described as:

Lathrop Industrial Lighting Maintenance District

Section 4 Proposed Assessment Amounts: For Fiscal Year 2019/20, the proposed assessments are outlined in the Report which details any changes or increases in the annual assessment.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the Districts in accordance with *Chapter 3, Section 22626* of the Act and Articles XIII (C) and XIII (D) of the California Constitution.

Section 6 Notice: The City shall give notice of the time and place of the Public Hearing to all property owners within the Districts by causing the publishing of this Resolution once in a newspaper of local circulation for two consecutive weeks not less than ten (10) days before the date of the public hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Notice of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Monday, May 13, 2019, at 7:00 p.m. or as soon thereafter as feasible in the City Council Chambers, located at 390 Towne Centre Dr., Lathrop, California.

Section 8 Compliance with Article XIII (C) and XIII (D) of the California Constitution: The City Council hereby finds that the proposed assessments are exempt from the requirements for Article XIII (C) and XIII (D) of the California Constitution in that the amount of the assessment is based upon a prior ballot procedure in which the majority of the affected property owners consented to the imposition of the assessment, its amount and a modifier. The amount of the assessment proposed does not exceed the authorized amount. The foregoing resolution was passed and adopted this 8^{th} day of April 2019, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

J

RESOLUTION NO. 19-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR THE RESIDENTIAL LIGHTING MAINTENANCE DISTRICT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2019/20

WHEREAS, the City Council pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500 (hereafter referred to as the "Act") desires to initiate proceedings for the establishment of benefit zones within the "Lathrop Residential Lighting Maintenance District" (hereafter referred to as the "District") and to levy and collect annual assessments to pay for the operation, maintenance and servicing of the lighting improvements and all appurtenant facilities related thereto. The Act provides for the establishment of benefit zones within an assessment district pursuant to Chapter 2 Article 4 Section 22574, and the levy and collection of assessments by the County on behalf of the City pursuant to Chapter 4 Article 2 Section 22646; and,

WHEREAS, the City Council has retained NBS as the Engineer of Work, for the purpose of assisting with the establishment of benefit zones within the District, the establishment of annual assessments, and to prepare and file an Engineer's Report with the City Clerk in accordance with the Act; and,

WHEREAS, the City Council has previously called for the preparation of an Engineer's Report and Annual Levy Report (collectively referred to herein as the "Report") for the district known as the Lathrop Residential Lighting Maintenance District); and

WHEREAS, the Report has now been presented to the City Council; and

WHEREAS, the Report includes the District's budget and assessments and contains the data necessary to determine the special benefit conferred upon each property included in the District; and

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and amended on April 8, 2019, and is preliminarily satisfied with the Lathrop Residential Lighting Maintenance District, and all of the budget items and charges, and is satisfied that the levy amounts, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements, operation, maintenance and services performed in and provided by the District;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

Section 1 Intention: The City Council hereby orders NBS to prepare the Engineer's Report concerning the establishment of benefit zones within the District and the levy of assessments for properties within the District.

Section 2 Description of Improvements and any substantial changes proposed: The improvements include the operation, administration, maintenance and servicing of all street lighting improvements and appurtenant facilities and expenses associated with the District.

Section 3 Boundaries and Designation: The proposed territory within the District includes all lots and parcels to be assessed for special benefits from the lighting improvements. The District is generally located in the northern part of the City and consists of lots and parcels north of Louise Avenue, west of the Southern Pacific Railroad, east of Interstate 5, and south of the Stonebridge Development. The District is within the City of Lathrop, the County of San Joaquin, State of California and shall be designated as: "Lathrop Residential Lighting Maintenance District".

Section 4 Proposed Assessment Amounts: For Fiscal Year 2019/20, the proposed assessments are outlined in the Report which details any changes or increases in the annual assessment.

<u>Section 5</u> Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act and Articles XIII (C) and XIII (D) of the California Constitution.

Section 6 Notice: The City shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in a newspaper of local circulation for two consecutive weeks not less than ten (10) days before the date of the public hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Notice of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Monday, May 13, 2019, at 7:00 p.m. or as soon thereafter as feasible in the City Council Chambers, located at 390 Towne Centre Dr., Lathrop, California.

Section *B* <u>Compliance with Article XIII (C) and XIII (D) of the California Constitution</u>: The City Council hereby finds that the proposed assessments are exempt from the requirements for Article XIII (C) and XIII (D) of the California Constitution in that the amount of the assessment is based upon a prior ballot procedure in which the majority of the affected property owners consented to the imposition of the assessment, its amount and a modifier. The amount of the assessment proposed does not exceed the authorized amount.

The foregoing resolution was passed and adopted this 8th day of April 2019, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

RESOLUTION NO. 19-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR THE MOSSDALE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2019/20

WHEREAS, the City Council has by previous Resolutions formed the Mossdale Landscape and Lighting Maintenance District (hereafter referred to as the "District"), and initiated proceedings for Fiscal Year 2019/20, pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Joaquin for the City of Lathrop to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained NBS for the purpose of assisting with the Annual Levy of the District, and to prepare and file a report with the City Clerk in accordance with the Act; and,

WHEREAS, the City Council has previously called for the preparation of an Engineer's Report and Annual Levy Report (collectively referred to herein as the "Report") for the district known as the Mossdale Landscape and Lighting Maintenance District; and

WHEREAS, the Report has now been presented to the City Council; and

WHEREAS, the Report includes the District's budget and assessments and contains the data necessary to determine the special benefit conferred upon each property included in the District; and

WHEREAS, the City Council has carefully examined and reviewed the Report as presented and amended on April 8, 2019, and is preliminarily satisfied with the Mossdale Landscape and Lighting Maintenance District, and all of the budget items and charges, and is satisfied that the levy amounts, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements, operation, maintenance and services performed in and provided by the District;

NOW, THEREFORE, BE IT RESOLVED that the following actions shall be taken:

Section 1 Intention: The City Council hereby declares that it is its intention to seek the Annual Levy of the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs of the improvements.

Section 2 Description of Improvements and any substantial changes proposed: The improvements within the District may include, but are not limited to: landscaping, planting, shrubbery, trees, turf, irrigation systems, street lighting, park sites, site lighting and appurtenant facilities. Services provided include all necessary service, operations, administration and maintenance required to keep the improvements in a healthy, vigorous and satisfactory condition. The Report, attached hereto as Exhibit "A" and incorporated herein by this reference is hereby approved on a preliminary basis and ordered to be filed with this Resolution in the Office of the City Clerk as a permanent record. Such Report shall remain open to public inspection. The Report provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District, within the boundaries of the City of Lathrop, within the County of San Joaquin, State of California. Also described as:

Mossdale Landscape and Lighting Maintenance District

Section <u>4</u> <u>Proposed Assessment Amounts</u>: For Fiscal Year 2019/20, the proposed assessments are outlined in the Report which details any changes or increases in the annual assessment.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act and Articles XIII (C) and XIII (D) of the California Constitution.

Section 6 <u>Notice</u>: The City shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in a newspaper of local circulation for two consecutive weeks not less than ten (10) days before the date of the public hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Notice of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Monday, May 13, 2019, at 7:00 p.m. or as soon thereafter as feasible in the City Council Chambers, located at 390 Towne Centre Dr., Lathrop, California.

Section 8 Compliance with Article XIII (C) and XIII (D) of the California Constitution: The City Council hereby finds that the proposed assessments are exempt from the requirements for Article XIII (C) and XIII (D) of the California Constitution in that the amount of the assessment is unchanged and the assessment is imposed exclusively to finance the maintenance and operation expenses for street tree, and street-side landscaping & park maintenance. The foregoing resolution was passed and adopted this 8th day of April 2019, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

ATTACHMENT D

RESOLUTION NO. 19-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING THE PRELIMINARY ENGINEER'S REPORTS FOR THE STONEBRIDGE LANDSCAPING DISTRICT AND THE STONEBRIDGE DRAINAGE & LIGHTING DISTRICT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2019/20

WHEREAS, the City Council has by previous Resolutions formed the Stonebridge Landscaping District and Stonebridge Drainage & Lighting District (hereafter referred to as the "Districts"), and initiated proceedings for Fiscal Year 2019/20, pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) and Benefit Assessment Act of 1982, Division 2, Title 5 of the California Government Code (commencing with Section 54703) (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Joaquin for the City of Lathrop to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained NBS, for the purpose of assisting with the Annual Levy of the Districts, and to prepare and file a report with the City Clerk in accordance with the Act; and,

WHEREAS, the City Council has previously called for the preparation of an Engineer's Report and Annual Levy Report (collectively referred to herein as the "Reports") for the districts known as the Stonebridge Landscaping District and Stonebridge Drainage & Lighting District; and

WHEREAS, the Reports have now been presented to the City Council; and

WHEREAS, the Reports include the District budgets and assessments and contains the data necessary to determine the special benefit conferred upon each property included in the Districts; and

WHEREAS, the City Council has carefully examined and reviewed the Reports as presented and amended on April 8, 2019, and is preliminarily satisfied with the Stonebridge Landscaping District and Stonebridge Drainage & Lighting District, and all of the budget items and charges, and is satisfied that the levy amounts, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements, operation, maintenance and services performed in and provided by the Districts; **NOW, THEREFORE, BE IT RESOLVED** that the following actions shall be taken:

Section 1 Intention: The City Council hereby declares that it is its intention to seek the Annual Levy of the Districts pursuant to the Act, over and including the land within the Districts' boundaries, and to levy and collect assessments on all such land to pay the annual costs of the improvements.

Section 2 Description of Improvements and any substantial changes proposed: The improvements within the Districts include: planting materials, irrigation systems, landscape, drainage systems, natural drainage areas, street lighting and all necessary appurtenances. The Reports, attached hereto as Exhibit "A" and incorporated herein by this reference is hereby approved on a preliminary basis and ordered to be filed with this Resolution in the Office of the City Clerk as a permanent record. Such Reports shall remain open to public inspection. The Reports provides a full and complete description of all improvements and any or all substantial changes to the Districts or improvements within the Districts.

Section 3 Boundaries and Designation: The boundaries of the Districts are described as the boundaries previously defined in the formation documents of the original Districts, within the incorporated City Limits of the City, within the County of San Joaquin, State of California. Also described as:

Stonebridge Landscaping District

Stonebridge Drainage & Lighting District

Section 4 Proposed Assessment Amounts: For Fiscal Year 2019/20, the proposed assessments are outlined in the Reports which detail any changes or increases in the annual assessment.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act and Articles XIII (C) and XIII (D) of the California Constitution.

Section 6 Notice: The City shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in a newspaper of local circulation for two consecutive weeks not less than ten (10) days before the date of the public hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Notice of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Monday, May 13, 2019, at 7:00 p.m. or as soon thereafter as feasible in the City Council Chambers, located at 390 Towne Centre Dr., Lathrop, California.

Section 8 Compliance with Article XIII(C) and XIII(D) of the California Constitution: The City Council hereby finds that the proposed assessments are in compliance with the requirements for Article XIII(C) and XIII(D) of the California Constitution in that the amount of the assessment is based upon a prior ballot procedure in which the majority of the affected property owners consented to the imposition of the assessment, its amount and a modifier. The amount of the assessment proposed does not exceed the authorized amount.

The foregoing resolution was passed and adopted this 8th day of April 2019, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

APPROVED AS TO FORM:

Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

RESOLUTION NO. 19-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING THE PRELIMINARY ENGINEER'S REPORTS FOR THE STORM DRAIN DISTRICTS ZONE 1 AND ZONE 1A AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2019/20

WHEREAS, the City Council has, as successor in interest to the County of San Joaquin and the Lathrop County Water District, the authority to assess and collect storm drain charges for the Lathrop Storm Drain Districts Zone 1 and Zone 1A (hereafter referred to as the "Districts"), and initiated proceedings for Fiscal Year 2019/20, pursuant to the provisions of the *Benefit Assessment Act of 1982, Division 2, Title 5 of the California Government Code (commencing with Section 54703)* (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Joaquin for the City of Lathrop to pay the maintenance and services of all improvements and facilities related thereto; and,

WHEREAS, the City Council has retained NBS, for the purpose of assisting with the Annual Levy of the Districts, and to prepare and file a report with the City Clerk in accordance with the Act; and,

WHEREAS, the City Council has previously called for the preparation of an Engineer's Report and Annual Levy Report (collectively referred to herein as the "Reports") for the districts known as the Lathrop Storm Drain Districts Zone 1 and Zone 1A; and

WHEREAS, the Reports has now been presented to the City Council; and

WHEREAS, the Reports includes the Districts' budgets and assessments and contains the data necessary to determine the special benefit conferred upon each property included in the Districts; and

WHEREAS, the City Council has carefully examined and reviewed the Reports as presented and amended on April 8, 2019, and is preliminarily satisfied with the Lathrop Storm Drain Districts Zone 1 and Zone 1A, and all of the budget items and charges, and is satisfied that the levy amounts, on a preliminary basis, have been spread in accordance with the special benefits received from the improvements, operation, maintenance and services performed in and provided by the District;

NOW, THEREFORE, BE IT RESOLVED that the following actions shall be taken:

Section 1 Intention: The City Council hereby declares that it is its intention to seek the Annual Levy of the District pursuant to the Act, over and including the land within the Districts' boundaries, and to levy and collect assessments on all such land to pay the annual costs of the improvements.

Section 2 Description of Improvements and any substantial changes proposed: The improvements within the District include: storm drainage and all necessary appurtenances. The Reports, attached hereto as Exhibit "A" and incorporated herein by this reference is hereby approved on a preliminary basis and ordered to be filed with this Resolution in the Office of the City Clerk as a permanent record. Such Reports shall remain open to public inspection. The Reports provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District, within the incorporated City Limits of the City, within the County of San Joaquin, State of California. Also described as:

Lathrop Storm Drain District Zone 1

Lathrop Storm Drain District Zone 1A

Section 4 Proposed Assessment Amounts: For Fiscal Year 2019/20, the proposed assessments are outlined in the Reports which detail any changes or increases in the annual assessment.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the Districts in accordance with *Chapter 3, Section 22626* of the Act and Articles XIII (C) and XIII (D) of the California Constitution.

Section 6 Notice: The City shall give notice of the time and place of the Public Hearing to all property owners within the Districts by causing the publishing of this Resolution once in a newspaper of local circulation for two consecutive weeks not less than ten (10) days before the date of the public hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices.

Section 7 Notice of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Monday, May 13, 2019, at 7:00 p.m. or as soon thereafter as feasible in the City Council Chambers, located at 390 Towne Centre Dr., Lathrop, California.

Section 8 Compliance with Article XIII(C) and XIII(D) of the California Constitution: The City Council hereby finds that the proposed assessments are exempt from the requirements for Article XIII(C) and XIII(D) of the California Constitution in that the amount of the assessment is unchanged and the assessment is imposed exclusively to finance the maintenance and operation expenses for flood control and drainage systems. The foregoing resolution was passed and adopted this 8th day of April 2019, by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

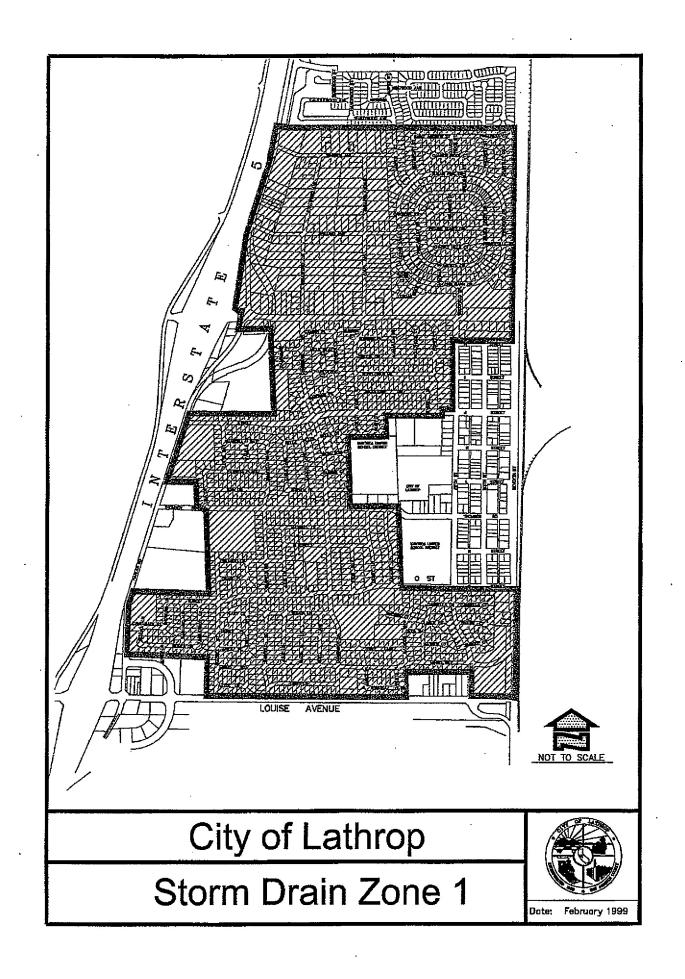
Sonny Dhaliwal, Mayor

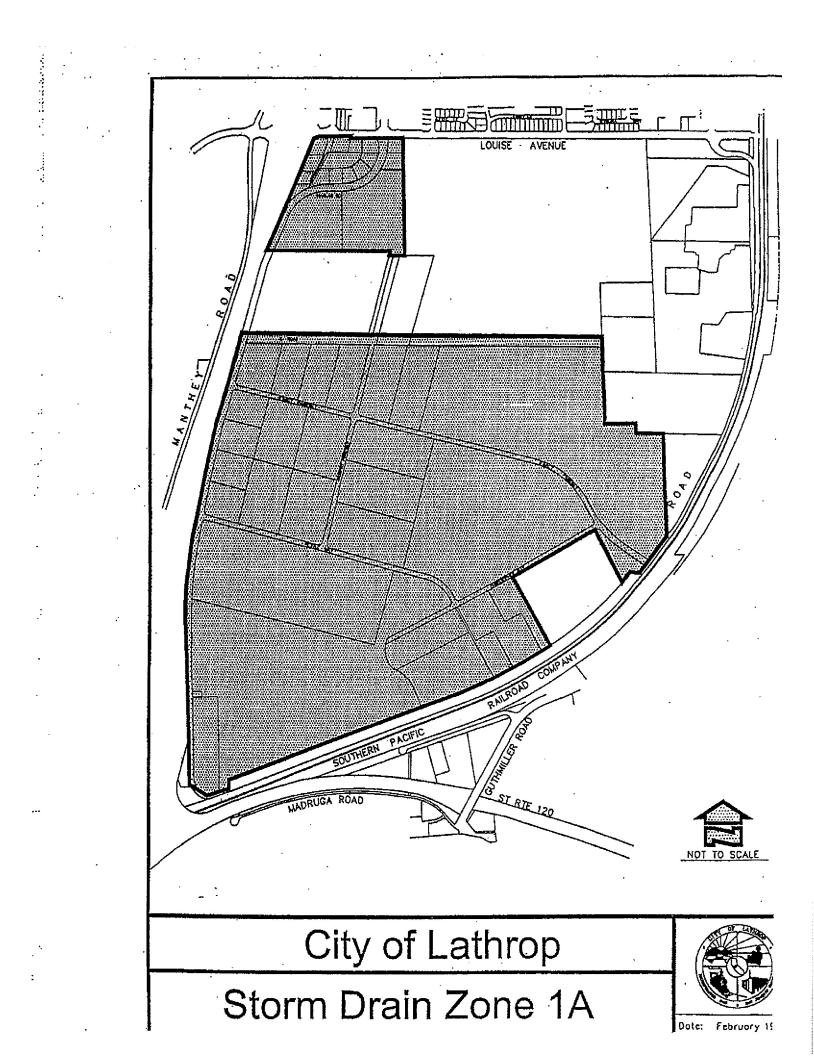
ATTEST:

APPROVED AS TO FORM:

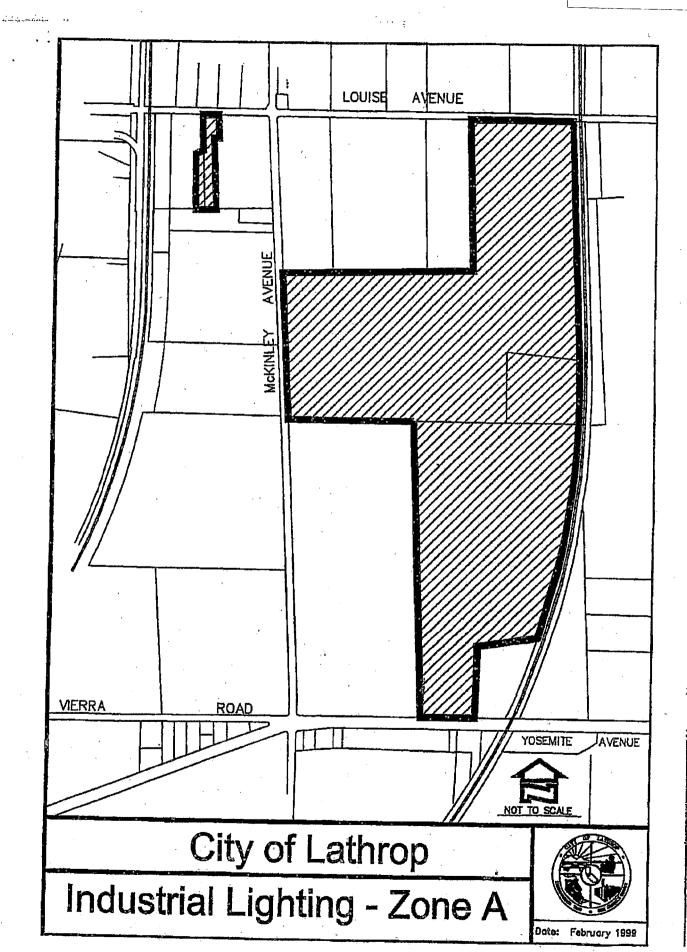
Teresa Vargas, City Clerk

Salvador Navarrete, City Attorney

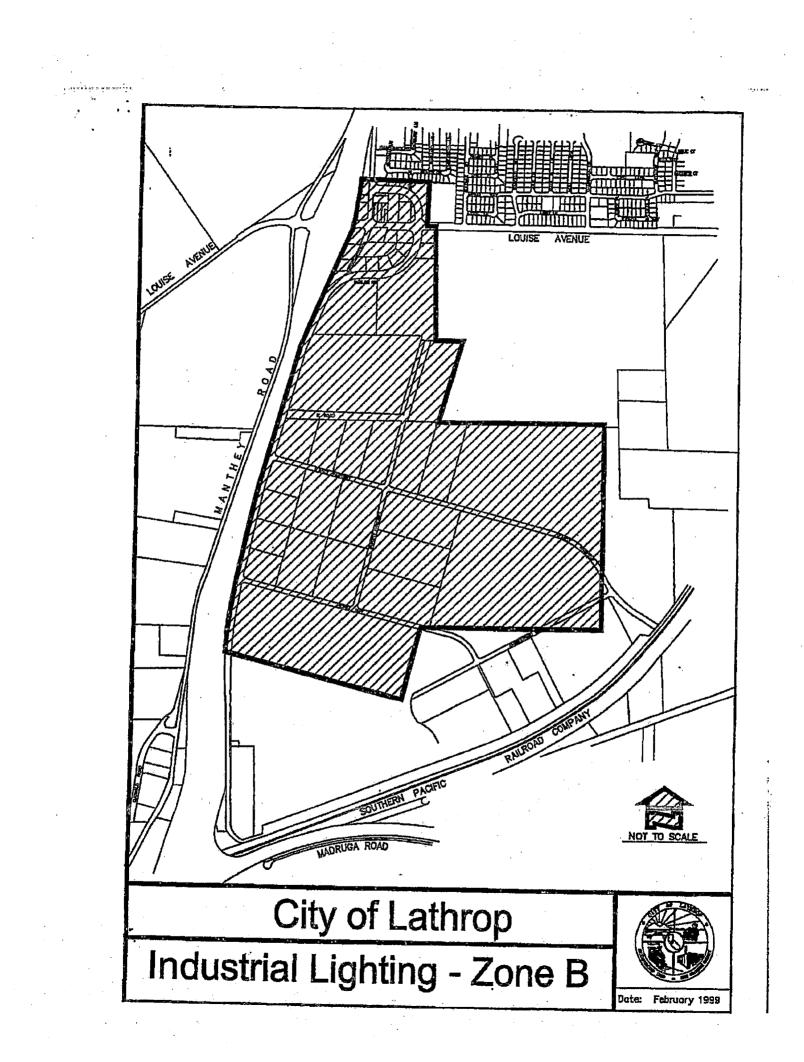


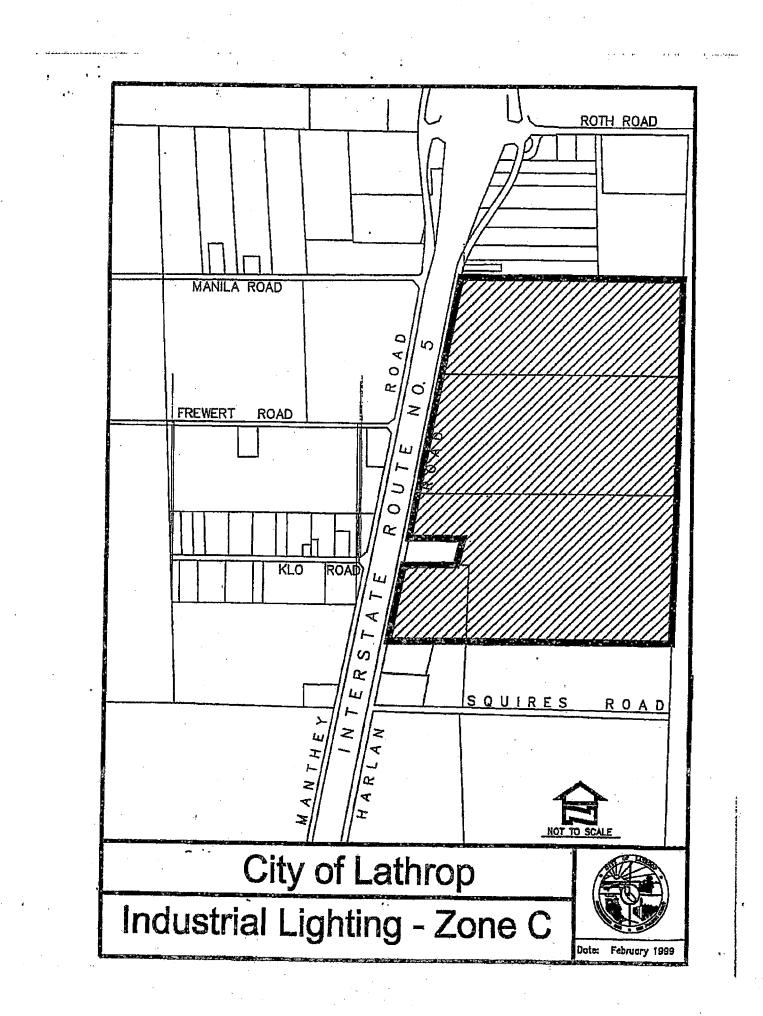


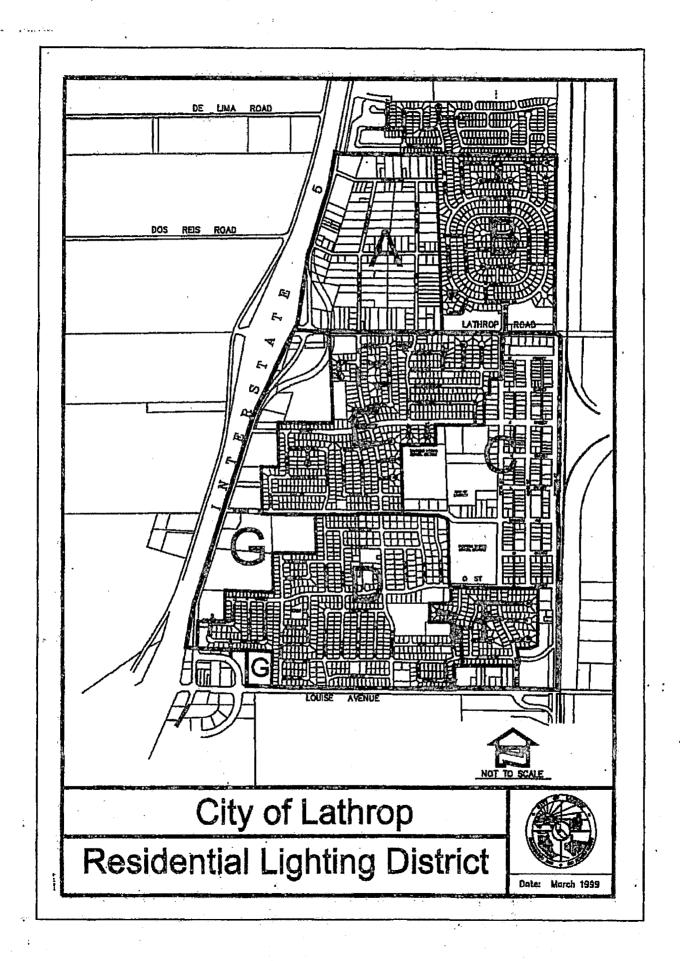
ATTACHMENT F

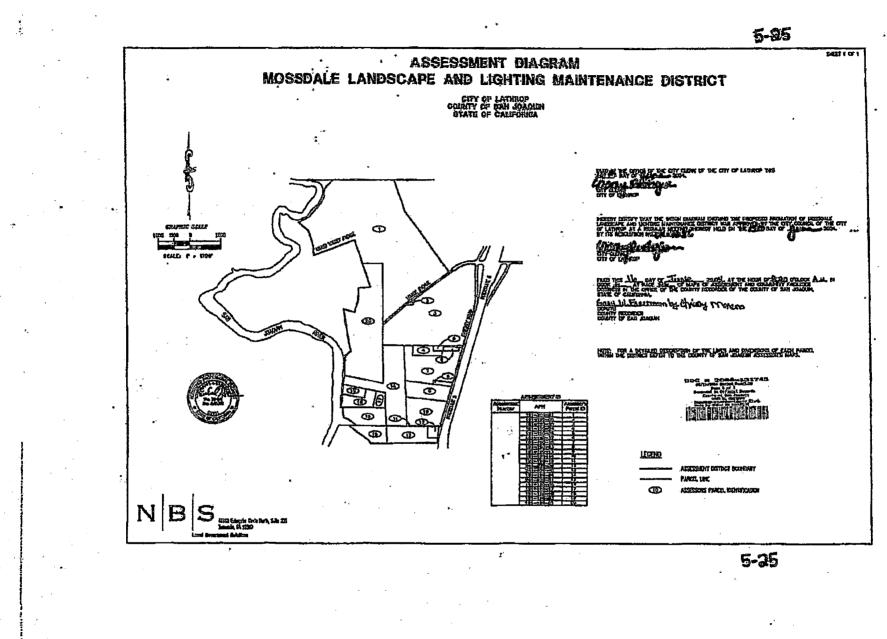


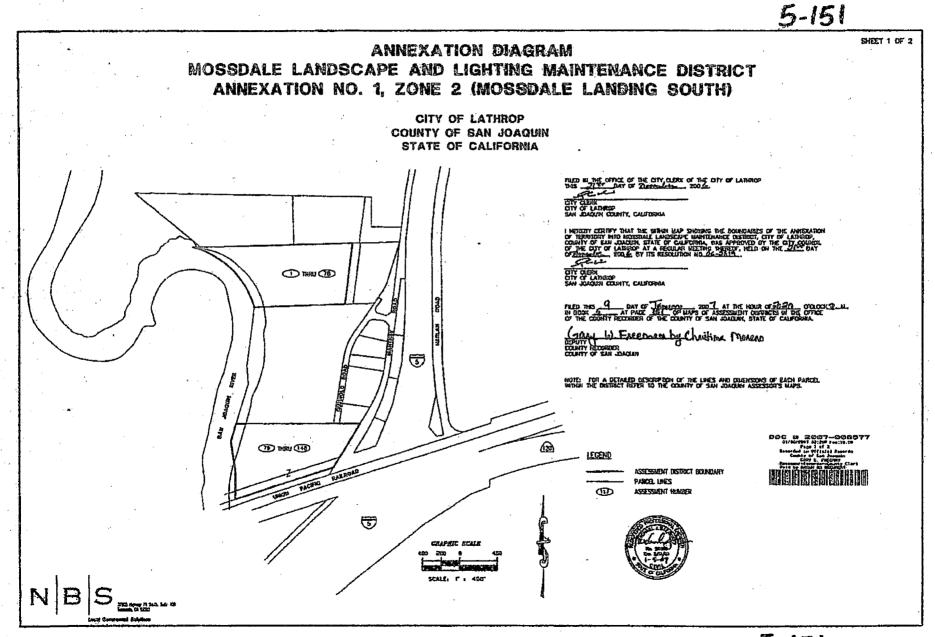
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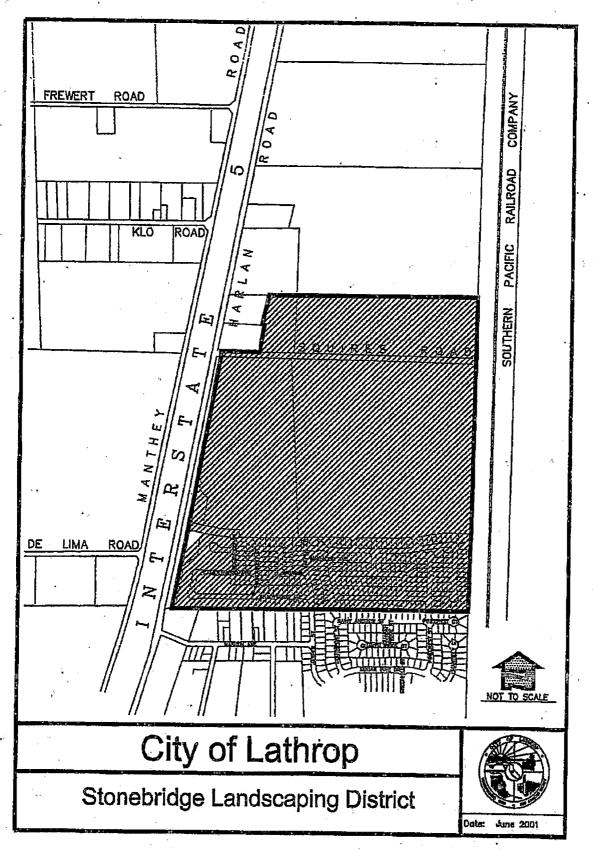








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