

Policy

Reference: Resolution No. 89-89, Formation of the Paso Robles Landscape and Lighting District No. 1 (Streets and Highways Code Sections 22500 ET SEQ) and the City Council's Fiscal Policy 1992.

Fiscal

Impact: The assessments would pay for the services required by the District if approved at the recommended levels.

Options:

1. That the City Council adopt Resolution approving the final annual levy report for the Landscape and Lighting District No. 1 and;

~~That the City Council adopt Resolution ordering the levy and collection of assessments within the Landscape and Lighting District No. 1.~~
2. That the City Council modify the assessment amounts and adopt the Resolutions at this time.
3. Amend, modify or reject the above option(s).

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RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES,
CALIFORNIA, AMENDING AND/OR APPROVING THE FINAL FORMATION AND
ANNUAL LEVY REPORT FOR THE CITY OF EL PASO DE ROBLES
LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT
DISTRICT FOR FISCAL YEAR 1993/1994.

WHEREAS, The City Council of the City of El Paso de Robles, California, pursuant to the provisions of Landscaping and Lighting Act of 1972, being Division 15, Part 2 of the Streets and Highways Code of the State of California (the Act), did, by previous Resolution, order the preparation of the Annual Report for said district known and designated as "CITY OF EL PASO DE ROBLES LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT" (hereinafter referred to as District); and,

WHEREAS, there has now been presented to this legislative body the "Annual Report" as required by said Act, and as previously directed by Resolution; and,

WHEREAS, this legislative body has carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and is satisfied that the levy, has been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Report.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY OF EL PASO DE ROBLES, CALIFORNIA, AS FOLLOWS:

Section 1. That the above recitals are all true and correct.

Section 2. That the "Report" as presented, is hereby approved (as amended), and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

Section 3. That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Final Annual Levy Report.

PASSED, APPROVED, AND ADOPTED this 6th day of July, 1993 by
the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

CHRISTIAN E. IVERSEN, MAYOR

ATTEST:

RICHARD J. RAMIREZ, CITY CLERK

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Recording Requested and
When Recorded Return to:
City Clerk's Office
910 Park Street
Paso Robles, CA 93446

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITY
OF EL PASO DE ROBLES LANDSCAPE AND LIGHTING MAINTENANCE
ASSESSMENT DISTRICT**

WHEREAS, the City Council by its previous Resolution initiated proceedings, and by previous Resolution approved the Final Annual Levy Report which described the assessments against parcels of land within the El Paso de Robles Landscape and Lighting Maintenance Assessment District (hereinafter referred to as District) for the fiscal year commencing July 1, 1993 and ending June 30, 1994 pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereinafter referred to as the "Act") to pay for the costs and expenses of operating, maintaining and servicing landscaping, lighting and appurtenant facilities located within public places in the City; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council, a report in connection with the proposed levy and collection upon eligible parcels of land within District, and the City Council did by previous Resolution approve such report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within District for the fiscal year commencing July 1, 1993 and ending June 30, 1994, to pay for the costs and expenses of operating, maintaining and servicing landscaping and appurtenant facilities located within public places in the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY FIND, DETERMINE, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Following notice duly given, the City Council has held a full and fair public hearing regarding the Final Annual Levy Report prepared in connection therewith; the levy and collection and considered all oral and written statements, protests and communications made or filed by interested persons.

Section 2. Based upon its review (and amendments, as applicable) of the Final Annual Levy Report, a copy of which has been presented to the City Council and which as been filed with the City Clerk, the City Council hereby finds and determines that:

- i) the land within District will be benefited by the operation, maintenance and servicing of landscaping, and drainage devices, located in public places within the boundaries of District.
- ii) District includes all of the lands so benefited; and
- iii) the net amount to be assessed upon the lands within the District in accordance with the fee for the fiscal year commencing July 1, 1993 and ending June 30, 1994 is apportioned by a formula and method which fairly distributes the net amount among all eligible parcels in proportion to the estimated benefits to be received by each parcel from the improvements and services.

Section 3. The Report and assessment as presented to the City Council and on file in the office of the City Clerk are hereby confirmed as filed.

Section 4. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: The operation, maintenance and servicing of landscaping, including trees, shrubs, grass and other ornamental vegetation, and appurtenant facilities, including irrigation systems and drainage devices, located in public places within the boundaries. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, lighting, or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming spraying, fertilizing and treating for disease or injury; and the removal of trimmings, rubbish, debris and other solid waste. Servicing means the furnishing of water for the irrigation of the landscaping and electricity, and the maintenance of any of the appurtenant facilities.

Section 5. The maintenance, operation and servicing of the landscaping, lighting and appurtenant facilities shall be performed pursuant to the "Act" and the Auditor of the San Luis Obispo County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6. The City Treasurer shall deposit all money representing assessments collected by the County for the District to the credit of a special fund known as "Improvement Fund, City of El Paso de Robles Landscape and Lighting Maintenance Assessment District" and such money shall be expended only for the maintenance, operation and servicing of the landscaping, lighting and appurtenant facilities as described in Section 4.

Section 7. The adoption of this Resolution constitutes the District levy for the fiscal year commencing July 1, 1993 and ending June 30, 1994.

Section 8. The City Clerk is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution.

Section 9. A certified copy of the levy shall be filed in the office of the City Clerk and open for public inspection.

PASSED, APPROVED, AND ADOPTED this 6th day of July, 1993 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

CHRISTIAN E. IVERSEN, MAYOR

ATTEST:

RICHARD J. RAMIREZ, CITY CLERK

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF PASO ROBLES LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972.

WHEREAS, The City Council (the "Council") of the City of El Paso de Robles, (the "City") previously adopted a Resolution approving the formation of the Paso Robles Landscape and Lighting Maintenance Assessment District ("District") which provides for the collection of assessments by the County Auditor to pay for the improvements, operation, maintenance and services for street trees, parkways, median islands, perimeter landscaping, slopes, open space, hardscape, decorative lighting and all appurtenant facilities and operations related thereto.

WHEREAS, the City has retained Muni Financial Services, Inc. (MFS), for the purpose of assisting the City with the Annual Levy of the District, to prepare and file a report with the City Clerk in accordance with the Landscaping and Lighting Act of 1972, Part 2 (commencing with Section 22500) of Division 15 of the California Streets and Highways Code (the Act);

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY OF EL PASO DE ROBLES, CALIFORNIA, AS FOLLOWS:

Section 1. Intention. The City Council hereby declares that it is its intention to seek the Annual Levy of the District pursuant to the Landscaping and Lighting Act of 1972, over and including the land within the district boundary, and to levy and collect annual assessments on all such land to pay the costs of the following: the maintenance and servicing of street lighting, street trees, parkways, median islands and appurtenances.

Section 2. Boundaries and Designation. The boundaries of the District are described as the boundaries previously defined in various boundary maps on file with the City Clerk and referenced in the Annual Levy Report.

Section 3. Notice of Public Hearing. NOTICE IS HEREBY GIVEN THAT A PUBLIC MEETING AND A PUBLIC HEARING ON THESE MATTERS WILL BE HELD BY THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES ON TUESDAY, JUNE 1, 1993 AT 7:30 P.M., AND TUESDAY JULY 6, 1993 AT 7:30 P.M., RESPECTIVELY, OR AS SOON THEREAFTER AS FEASIBLE IN THE REGULAR MEETING CHAMBERS LOCATED WITHIN CITY HALL LOCATED AT 801 FOURTH STREET, PASO ROBLES, CALIFORNIA.

Section 4. Notice.

The City shall provide a notice of the time and place of the Public Hearing to be mailed by first class mail to all property owners within the proposed District who will receive a new or increased assessment, not less than 45 days prior to the Public Hearing. The City Clerk shall also give notice of the time and place of the Public Hearing and the Public Meeting by causing the publishing of this Resolution twice in the Country News for two consecutive weeks not less than ten (10) days before the date of the 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 5. Annual Assessment. The City Council hereby declares its intention to order the preparation of the Annual Levy Report and to conduct a public hearing annually concerning the levy of assessments for the District in accordance with the Act.

PASSED, APPROVED, AND ADOPTED THIS 4TH DAY OF MAY, 1993.

AYES: Heggarty, Macklin, Martin, Pcano and Iversen

NOES: None
ABSENT: None

/s/Christian E. Iversen, Mayor
ATTEST:
/s/Richard J. Ramirez, City Clerk
Published 5/12, 5/19/93
Legal #4601CN

PROOF OF PUBLICATION

STATE OF CALIFORNIA, }
County of San Luis Obispo } SS.

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Paso Robles Country News, a newspaper of general circulation, printed and published weekly on Wednesday in Paso Robles, Calif., County of San Luis Obispo, and which newspaper has been adjudged a newspaper of general circulation by Decree entered in the Superior Court of San Luis Obispo County, State of California, on March 11, 1982, Case No. 56022, under the provisions of Chapter 1, Division 7, Title 1 of the Government Code of the State of California, that the notice of which the annexed is a printed copy (set in type no smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following days, to wit:

DATES RUN 5-12, 5-19-93

all in the year 19 93

I certify (or declare) under penalty of perjury that the foregoing is true and correct

Dated at PASO ROBLES, CA

California, this 19 day of MAY, 19 93

Signature KEITH BERWICK

Proof of Publication of

RESOLUTION # 93-87

LG# 4601

CITY OF PASO ROBLES

**PRELIMINARY ANNUAL LEVY REPORT
PASO ROBLES LANDSCAPE AND LIGHTING
MAINTENANCE ASSESSMENT DISTRICT**

FISCAL YEAR 1993/1994

Revised
May 1993

MUNI FINANCIAL SERVICES, INC.

28765 Single Oak Dr., Second Floor
Temecula, CA 92590
Tel: (909) 699-3990
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OVERVIEW

A. Introduction

The City levies and collects special assessments in order to maintain the improvements within the Paso Robles Landscape and Lighting Maintenance Assessment District ("District"). The District has been formed and the levies made pursuant to the Landscape and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code. For a more complete description of the legal application of the 1972 Act, please refer to Appendix A.

This Report describes the proposed assessments per parcel for Fiscal Year 1993/94 based on the historical and estimated cost to maintain the improvements that provide a benefit to properties within the District.

After approval of this Report by the City Council as submitted or as modified, the City Council may order the annexation of territory into the District and the levy and collection of assessments for Fiscal Year 1993/94. In such case, the assessment information will be submitted to the County Auditor/Controller. The County Auditor/Controller will include the assessments on the property tax bills for Fiscal Year 1993/94.

B. Description of the District and Services

The Paso Robles Maintenance District provides maintenance of landscaping within the public right-of-way and dedicated landscape easements in various tracts throughout the City. Each tract is identified as a distinct Sub Area with differing costs and benefits to the parcels within each Sub Area.

The spreading of the maintenance cost is based upon the total cost of maintenance within each Sub Area and equally spread between all benefitting properties within the Sub Area. Each property is assessed only for the cost of maintenance of the improvements within their respective Sub Area.

Improvements within the District include; street lighting, fencing, planting materials, irrigation systems, drainage systems, open space areas, public pedestrian paths, and entry monuments.

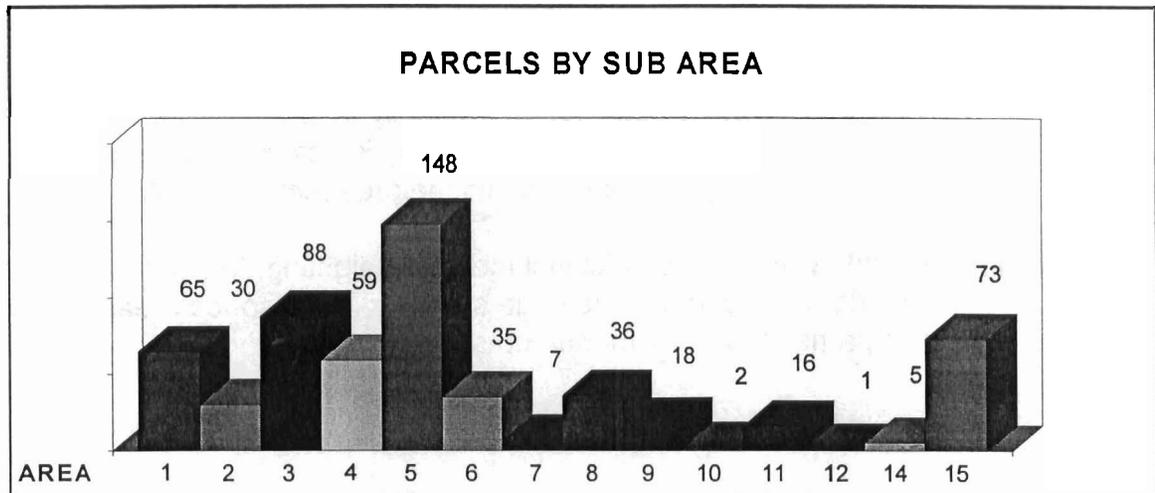
Table I below lists the various Sub Areas within the District along with the Tract numbers and the number of parcels.

**TABLE I
SUB AREAS**

Sub Area #1	Tract 1581	65 parcels
Sub Area #2	Tract 1632	30 parcels
Sub Area #3	Tract 1457	88 parcels
Sub Area #4	Tract 1619	59 parcels
Sub Area #5	Tract 1508-1 &-2	148 parcels
Sub Area #6	Tract 1463-1	35 parcels
Sub Area #7	Woodland Plaza	7 parcels
Sub Area #8	Tract 1630	36 parcels
Sub Area #9	Tract 1942	18 parcels
Sub Area #10	Tract 2036	2 parcels
Sub Area #11	Tract 1723	16 parcels
Sub Area #12	Tract 2070	1 parcel (96 units)
Sub Area #14	Williams Bros.	5 parcels
Sub Area #15	Tract 1832	73 parcels

Exhibit A below illustrates the relationship of those parcels located within each of the fourteen Sub Areas.

EXHIBIT A



C. Budget and Levy Summary

The 1993/94 District budget and levy and their relationship to the budget and levy of the previous year is summarized by Table II shown below.

**TABLE II
BUDGET AND LEVY SUMMARY
(1992/93 to 1993/94)**

	1992/93		1993/94	
	<i>Balance to Levy</i>	<i>Levy per Parcel/Acre</i>	<i>Balance to Levy</i>	<i>Levy per Parcel/Acre</i>
Sub Area #1	\$13,187.00	\$202.88	\$17,437.00	\$268.26
Sub Area #2	\$9,449.00	\$314.96	\$9,403.00	\$313.44
Sub Area #3	\$7,467.00	\$84.86	\$7,508.00	\$85.32
Sub Area #4	\$13,052.00	\$221.22	\$13,186.00	\$223.50
Sub Area #5	\$4,572.61	\$30.90	\$10,748.00	\$72.62
Sub Area #6	\$5,375.00	\$153.58	\$980.00	\$28.00
Sub Area #7	\$2,474.00	\$193.60	\$2,552.00	\$364.58
Sub Area #8	\$3,310.00	\$91.94	\$6,102.00	\$169.50
Sub Area #9	\$2,106.00	\$117.00	\$2,608.00	\$144.90
Sub Area #10	\$81.00	\$61.14	\$373.00	\$186.50
Sub Area #11	\$1,886.00	\$117.84	\$1,733.00	\$108.32
Sub Area #12			\$557.00	\$5.80
Sub Area #14			\$2,428.00	\$134.08
Sub Area #15			\$8,237.00	\$112.84

DESCRIPTION OF THE DISTRICT

A. District Boundaries

The District is divided into fourteen distinct Benefit Sub Areas.

Sub Area #1 lies east of Creston Road and Katherine Drive within the boundaries of Tract 1581(Riverglen). Improvements within Sub Area #1 include landscaping along Union Road and Riverglen Drive, street lighting, open space lots, and slopes.

Sub Area #2 consists of Tract 1632 (Meadowlark Farms) east of Oriole Way and north of Meadowlark Road. Improvements within Sub Area #2 include landscaping along Meadowlark Road and Airport Road, street lighting, storm drains, and a detention basin.

Sub Area #3 covers Tract 1457 east of Creston Road and north of Meadowlark Drive. Improvements within Sub Area #3 consist of parkway and slope landscaping along Creston Road and Meadowlark Road, and a section of the creek.

Sub Area #4 contains Tract 1619 on the northwest side of Union Road. Improvements within Sub Area #4 include landscaping along Union Road and interior street parkways, street lighting, and drainage swales.

Sub Area #5 lies within the boundaries of Tracts 1508-1 & -2 (Riverbank) on the west side of North River Road. Improvements within Sub Area #5 include landscaping along arterial streets and street lighting.

Sub Area #6 consists of Tract 1463-1 (Sunset Ridge) on the northwest side of Union Road. Improvements within Sub Area #6 include landscaping along Union Road and "A" Street and street lighting.

Sub Area #7 is Woodland Plaza located north of Niblick Road and west of South River Road. Improvements within Sub Area #7 consist of medians along Niblick Road and South River Road and street lighting.

Sub Area #8 contains Tract 1630 (Trent). Improvements within Sub Area #8 include landscaping along pedestrian pathways, street lighting, pedestrian pathway security lighting, open space, and storm drainage areas.

Sub Area #9 includes Tract 1942 west of Creston Road and north of Niblick Road. Improvements within Sub Area #9 include landscaped parkways along Niblick and Creston Roads, street lighting, medians, and walls.

Sub Area #10 lies within the boundaries of Tract 2036 (Grannery) west of Riverside Avenue and south of 12th Street. Improvements within Sub Area #10 include street lighting.

Sub Area #11 consists of Tract 1723. Improvements within Sub Area #11 include street lighting, open space, and emergency road access.

Sub Area #12 includes Tract 2070 (Alder Creek Condos). Improvements within Sub Area #12 include landscaped parkways, street lighting.

Sub Area #14 is Williams Brothers. Improvements within Sub Area #14 include median island landscaping and street lighting.

Sub Area #15 is Tract 1832. Improvements within Sub Area #15 include median and entry landscaping, street lighting, and detention basins.

CHANGES TO THE DISTRICT

For Fiscal Year 1993/94, changes within the District that effect the levy are outlined below.

A. Annexations

Three new Sub Areas have been annexed into the District for this fiscal year. These areas, known as Sub Area Nos. 12, 14 and 15 are described in the Description of the District, above.

B. Modifications of the District Structure

No modifications to the existing District structure are anticipated within the District this fiscal year. These modifications, if any, could include; changes in Benefit Zone boundaries, types of services provided, or method of apportionment.

C. District Budget Changes

Various minor budget increases are reflected for the 1993/94 fiscal year. These increases are due to increases in utility costs and labor rates. Please refer to Table II, Budget and Levy Summary, above for a comparison to the 1992/93 fiscal year.

DESCRIPTION OF BUDGET ITEMS

The following list is a description of those services that are shown on the following District budgets.

Maintenance - Includes all contracted labor, material and equipment required to properly maintain the landscaping, irrigation systems, drainage systems, fencing, and entry monuments within the District.

All improvements within the District are maintained and serviced on a regular basis. The frequency and specific maintenance operations required within the District are determined by City staff, but are generally scheduled weekly.

Lighting Costs - Includes the costs to provide electrical power service to streetlights.

Water Costs - The cost of furnishing water required for the maintenance of the landscaping and drainage facilities.

Other Electric - The cost of providing electrical power to irrigation controllers and pedestrian walkway lights.

Miscellaneous Repairs - This item includes repairs to the improvements in the District that are not normally included in the yearly maintenance contract and are unforeseen. They may be damage due to vandalism, storms, etc.

Personnel - The cost of particular staff of the City for providing the coordination for maintenance, responding to public concerns and education, and levy collection. The County of San Luis Obispo will add a \$2.00 County Administration charge per parcel to the assessments prior to placing them on the tax rolls.

Overhead - The cost of providing all overhead items incurred during the District administration by the City such as, office supplies, office equipment, telephones, etc.

Consultant Services - The cost of contracting with professionals to provide services specific to the levy administration or legal services.

Reserve - The reserve item is provided for collection by the District of funds to operate the District from the time period of July 1 (Beginning of the Fiscal Year) through December when the County provides the City with the first installment of assessments collected from the property tax bills. The reserve fund cannot be greater than 50% of the District budget and eliminates the need for the City to transfer funds from non-District accounts to pay for District charges.

DISTRICT BUDGET

Table III below and on the following page, shows the District budgets for the 1993/94 fiscal year.

**TABLE III
1993/94 DISTRICT BUDGETS**

Description	Sub Area 1	Sub Area 2	Sub Area 3	Sub Area 4	Sub Area 5	Sub Area 6	Sub Area 7
DIRECT COSTS							
Landscape Maintenance	\$10,536	\$6,144	\$2,725	\$8,544	\$2,700	\$0	\$1,200
Street Light Electrical	1,250	865	1,730	1,057	2,691	0	769
Water Costs	3,000	1,070	190	1,220	720	0	160
Other Electrical	180	90	90	180	90	0	90
Repairs/Renovation	652	394	309	533	404	0	137
Subtotal	\$15,618	\$8,563	\$5,044	\$11,534	\$6,605	\$0	\$2,356
ADMINISTRATION COSTS							
Personnel	\$1,038	\$479	\$1,406	\$943	\$2,365	\$560	\$112
Overhead	446	206	604	405	1,015	240	48
Consultants	335	155	454	304	763	180	36
Subtotal	\$1,819	\$840	\$2,464	\$1,652	\$4,143	\$980	\$196
Total Direct and Administration Costs	\$17,437	\$9,403	\$7,508	\$13,186	\$10,748	\$980	\$2,552
Less: 1993/94 Beginning Balance	0	0	0	0	0	0	0
Reserve Account	0	0	0	0	0	0	0
Balance to Levy	\$17,437	\$9,403	\$7,508	\$13,186	\$10,748	\$980	\$2,552
Parcels	65	30	88	59	148	35	7
Levy per Parcel	\$268.26	\$313.44	\$85.32	\$223.50	\$72.62	\$28.00	
Total Acres							12.78
Levy per Parcel							\$199.70
Previous Reserve Balance							
Historical Information:							
1991/92 Levy per Parcel/Acre	\$147.00	\$166.76	\$75.42	\$206.18	\$35.96	\$159.06	\$97.16
1992/93 Levy per Parcel/Acre	\$202.88	\$314.96	\$84.86	\$221.22	\$30.90	\$153.58	\$193.60

Description	Sub Area 8	Sub Area 9	Sub Area 10	Sub Area 11	Sub Area 12	Sub Area 14	Sub Area 15
DIRECT COSTS							
Landscape Maintenance	\$2,112	\$1,104	\$0	\$924	\$0	\$1,104	\$3,264
Street Light Electrical	865	673	288	288	481	865	1,442
Water Costs	115	115	0	0	0	115	1,000
Other Electrical	1,810	90	0	0	0	90	180
Repairs/Renovation	192	122	29	75	48	142	307
Subtotal	\$5,094	\$2,104	\$317	\$1,287	\$529	\$2,316	\$6,193
ADMINISTRATION COSTS							
Personnel	\$575	\$287	\$32	\$255	\$16	\$64	\$1,166
Overhead	247	124	14	109	7	27	502
Consultants	186	93	10	82	5	21	376
Subtotal	\$1,008	\$504	\$56	\$446	\$28	\$112	\$2,044
Total Direct and Administration Costs	\$6,102	\$2,608	\$373	\$1,733	\$557	\$2,428	\$8,237
Less: 1993/94 Beginning Balance	0	0	0	0	0	0	0
Reserve Account	0	0	0	0	0	0	0
Balance to Levy	\$6,102	\$2,608	\$373	\$1,733	\$557	\$2,428	\$8,237
Parcels	36	18	2	16	96	5	73
Levy per Parcel	\$169.50	\$144.90		\$108.32	\$5.80		\$112.84
Total Acres			1.32			18.11	
Levy per Acre			\$282.58			\$134.08	
Previous Reserve Balance							
Historical Information:							
1991/92 Levy per Parcel/Acre	\$72.56						
1992/93 Levy per Parcel/Acre	\$91.94	\$117.00	\$61.14	\$117.84			

Budget Notes:

1. Increases in the landscape maintenance and lighting costs, along with an increase in administration costs have been reflected in the budgets for this fiscal year.
2. The landscaping for Tract 1463-1 has not been completed to the satisfaction of the City. Therefore, only those costs related to the administration of the District will be assessed in that zone for the 1993/94 fiscal year.

METHOD OF APPORTIONMENT

Pursuant to the 1972 Act law, the costs of the District must be spread to each property based upon a benefit formula. The basis of benefit within this District varies from Sub Area to Sub Area. The benefit and levy amounts for Sub Areas 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, & 15 are determined to be equal for all residential parcels within each Sub Area. The formulas for Sub Areas 7, 10, and 14 are based on the property's acreage. The following formulas are used to arrive at a parcel levy amount for properties in each Sub Area.

Sub Area # 1, 2, 3, 4, 5, 6, 8, 9, 11, 12, and 15:

$$\text{Total Balance to Levy} / \text{Total Parcels in Zone} = \text{Parcel Levy Amount}$$

Sub Area # 7, 10, and 14:

$$\begin{aligned} \text{Total Balance to Levy} / \text{Total Acres} &= \text{Levy per Acre} \\ \text{Levy per Acre} \times \text{Parcel Acreage} &= \text{Parcel Levy Amount} \end{aligned}$$

Appendix A - 1972 ACT APPLICATION

The District, through collecting special benefit assessments, provides funding for maintenance of District amenities located within specific areas of the City. All maintained areas are located in public-rights-of-way and/or easements. The assessments are levied on the basis of benefit and are considered a user's fee, not a tax.

Section 22573 of the Landscape and Lighting Act of 1972 ("Act"), Part 2 of Division 15 of the Streets and Highways Code of the State of California, states:

"The net amount to be assessed upon lands within an assessment District may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

Changes in Legislation

New legislation, Chapter 1234 (SB 1977, SB 773 and AB 395), which took effect on January 1, 1993, has made specific changes to the code(s) that directly affect Landscape and lighting Maintenance Districts.

These changes have affected the way parcels receiving a new or increased assessment are noticed, removes the ability of the legislative body to overrule a majority protest of the formation of a District, requires an additional public meeting prior to adopting an assessment, and limits the type of buildings that can be built through a Landscape and Lighting District.

Appendix B - DISTRICT BOUNDARY MAPS

The Boundary Maps for Sub Areas 1 through 11, respectively, have been submitted to the Clerk of the City in the format required under the Act and are, by reference, made part of this Report. The Boundary Maps are also available for inspection at the office of the City Clerk during normal business hours.

