

**TO:** James L. App, City Manager  
**FROM:** Doug Monn, Public Works Director  
**SUBJECT:** Drainage Maintenance Assessment District Formation & Landscape and Lighting Sub area 112 & 2A-1 Balloting  
**DATE:** December 18, 2007

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**NEEDS:** For the City Council to consider formation of a Drainage Maintenance Assessment District and reballoting of Landscape and Lighting District Sub Areas 112 and 2A-1.

- FACTS:**
1. To meet the requirements of a settlement agreement (Latorre), and to protect residents against the potential of overland flooding, formation of a drainage assessment district to ensure the proper maintenance of the drainage easement running through affected properties is advised.
  2. Landscape and Lighting District sub areas 112 and 2A-1 are being recommended for reballoting to increase assessment to a level that will fund full service.
  3. If approved formation of the Drainage District and Sub Area balloting costs totaling \$20,000 will be paid with assessments collected from same.

**ANALYSIS &**

**CONCLUSION:** The issue before the Council is two fold:

The formation of a Drainage Maintenance Assessment District involving certain properties along Ashwood Place will meet the requirements of a January 2005 flood damage settlement agreement. Since this area requires only maintenance of a drainage easement (no requirement for landscape maintenance) it must be a drainage district not an addition to the already established Landscape and Lighting District. If the Council approves formation of this district, Mike Harrod (owner of the undeveloped properties) has agreed to support the formation of the district.

The second issue concerns the reballoting of two existing Sub Areas within the Paso Robles Landscape and Lighting District No. 1. Sub area 112 is a relatively new subdivision (tract 2609 located at Meadowlark Rd. & Oriole Way) containing amenities that cannot be maintained with the existing assessment. The owner of the development agrees that the maximum assessment should be raised and has pledged to support a reballoting. Sub area 2A-1 is an older established area that has previously rejected proposed assessment increases. Because insufficient funding did not allow maintenance of some improvements (specifically the Oriole/Cool Valley basin), appearance began to suffer. This maintenance shortfall prompted the residents to circulate a petition supporting a balloting effort. The petition was signed by more than 50% of the residents.

**POLICY**

**REFERENCE:** Landscape and Lighting Act of 1972.  
Benefit Assessment act of 1982

**FISCAL**

**IMPACT:**

If approved the \$20,000 fee will be paid using funds from the Sub Area budgets being balloted and the newly formed Drainage District.

**OPTIONS:**

- a. Authorize staff to proceed with the formation of a Drainage Maintenance Assessment District and the reballoting of Landscape and Lighting Sub Areas 112 and 2A-1.
- b. Amend, modify, or reject the above option.

RESOLUTION NO. 08-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
APPROVING THE FORMATION OF A DRAINAGE MAINTENANCE ASSESSMENT  
DISTRICT AND THE REBALLOTING OF LANDSCAPE AND LIGHTING  
SUB AREAS 112 AND 2A-1

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WHEREAS, the formation of this Drainage Maintenance Assessment District involving certain properties along Ashwood Place meet the requirements of the LaToree settlement agreement; and

WHEREAS, the area only requires maintenance of a drainage easement and no landscaping maintenance; and

WHEREAS, the owner of the undeveloped properties (Mike Harrod) agrees to support the formation of the district with an affirmative vote; and

WHEREAS, the formation of the Drainage District costs will be paid with assessments collected from the newly formed Drainage District.

WHEREAS, Sub Area 112 is a new subdivision containing amenities that cannot be maintained with the existing assessment; and

WHEREAS, the owner of the development agrees that the maximum assessment should be raised and has pledged to support a rebaloting; and

WHEREAS, Sub Area 2A-1 is an older established area that rejected proposed assessment increases; and

WHEREAS, the appearance of the Sub Area is suffering because of insufficient funds for maintenance and improvements to the area; and

WHEREAS, a petition was signed by more than 50% of the residents supporting a future balloting effort; and

WHEREAS, the fee will be paid from the Sub Area budgets being balloted.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of El Paso de Robles does hereby approve the formation of the Drainage Maintenance Assessment District and the rebaloting of L&L Sub areas 112 and 2A-1.

SECTION 2. The City Council does hereby authorize the City Manager to use the funds from the Sub Area budgets being balloted and the newly formed Drainage District in the amount of \$20,000.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18th day of December 2007 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Deborah D. Robinson, Deputy City Clerk