



CITY OF POMONA COUNCIL REPORT

July 15, 2024

To: Honorable Mayor and Members of the City Council

From: Anita D. Gutierrez, City Manager

Submitted By: Rene Guerrero, Public Works Director

**SUBJECT: PUBLIC HEARING REGARDING THE LEVY OF FISCAL YEAR 2024-25
ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET
LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT**

RECOMMENDATION:

It is recommended that the City Council take the following actions:

- 1) Conduct a Public Hearing regarding the levy of assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District for FY 2024-25; and
- 2) After receiving public comments and testimony, close the Public Hearing and adopt the following Resolution:

**RESOLUTION NO. 2024-93- A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF POMONA, CALIFORNIA, CONFIRMING THE
ASSESSMENT DISTRICT DIAGRAMS, ZONE BOUNDARIES, AND THE
LEVY OF FISCAL YEAR 2024-25 ASSESSMENTS FOR THE
CONSOLIDATED CITYWIDE STREET LIGHTING AND LANDSCAPING
MAINTENANCE DISTRICT**

EXECUTIVE SUMMARY:

A public hearing is required prior to City Council adopting a Resolution (Attachment No. 1) to confirm the assessment diagrams, zone boundaries, and the assessments to be levied for FY 2024-25. Prior to conducting the public hearing, notification of the hearing (Attachment No. 2) is required. Affected property owners have the opportunity to comment orally or in writing regarding the Engineer's Report (Attachment No. 3) and the assessments. At the time this report was submitted, the City Clerk had received no protest letters. Any subsequent protest letters will be presented to the City Council at the Public Hearing on July 15, 2024.

SB1439/GOVERNMENT CODE §84308 APPLICABILITY:

When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$250 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$250 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

FISCAL IMPACT:

Funding for the Consolidated Citywide Street Lighting and Landscaping Maintenance District (District) is derived from assessments of properties receiving benefits from the District. In the proposed budget, prepared prior to the draft Engineer’s Report, the City conservatively estimated that the assessments would generate approximately \$1,279,634 for FY 2024-25. The draft Engineer’s Report estimates a total levy of \$1,272,160 from a total of 8,247 parcels levied, including additional annual revenue of \$2,259.59 in Zone C from the 147 parcels being added to the Citywide lighting assessment through this process. The table below summarizes estimated revenues from the assessments, as described in the Engineer’s Report:

Source of Funds	Phillips Ranch Zone A-B	Zones C and I	Total Zones D-F	University Corp. Center Zone H	Total
Assessment Revenue	\$951,811	\$150,255	\$114,747	\$62,823	\$1,272,160

Notes

1. Since FY 1999-00, all parcels formerly in Zone G have now been included in Zone C.

The table below summarizes the estimated expenditures from the assessments. Where expenditures exceed revenues, fund balances will cover the shortfalls. Because the fund balance is nearly depleted in both the Phillips Ranch Assessment District (Zone AB) and the University Corporate Center (Zone H), annual expenditures and services have been cut. In Phillips Ranch, the City hired a consultant in FY 2022-23 to increase the assessment in Phillips Ranch to a sustainable level. A ballot measure was presented to property owners in the Spring of 2023 to raise the assessment, but the measure did not pass. The City has hired a consultant and is currently in the process of potentially increasing the assessment in the University Corporate Center Zone H through a Proposition 218 ballot process. This process should be completed in FY 2024-25.

Uses of Funds	Phillips Ranch Zone A-B	Zones C and I	South Garey Zones D-F	University Corp. Center Zone H	Total
Personnel Costs	\$164,286	\$36,575	\$23,869	\$0	\$224,730
Contractual Services	\$563,322	\$2,000	\$28,088	\$59,002	\$652,412
Utilities	\$139,600	\$80,000	\$26,803	\$10,000	\$256,403
Internal Services	\$31,622	\$7,405	\$9,638	\$4,433	\$53,098
Other Operating Costs	\$25,991	\$15,550	\$880	\$5,300	\$47,721
Total	\$924,821	\$141,530	\$89,278	\$78,735	\$1,234,364

*The budgets in the Engineer's Report were based on estimates provided months prior to the final FY 2024/25 budget adoption. Since the report, there have been a few City budget revisions; however, these do not affect the assessments. The tables shown above match the information in the Engineer's Report.

PUBLIC NOTICE REQUIREMENTS:

In accordance with California Streets and Highways Code Sections 22552, 22553, and 22626(a) and Government Code Section 6061, the Resolution of Intent to conduct the public hearing regarding the FY 2024-25 levy of assessments was published in the Inland Valley Daily Bulletin on July 5, 2024.

PREVIOUS RELATED ACTION:

On April 8, 2024, the City Council adopted Resolution No. 2024-49 authorizing David Taussig and Associates, Inc. (DTA) as the Engineer of Record for Fiscal Year 2024-25, and authorizing preparation of the Engineer's Report pursuant to the Provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California, for the Annual Assessment Levy for the Consolidated Citywide Street Lighting and Landscaping Maintenance District for FY 2024-25.

On June 3, 2024, the City Council approved the Engineer's Report for the Consolidated Citywide Street Lighting and Landscaping Maintenance District and adopted Resolution No. 2024-78 declaring the City's intent to levy assessments for FY 2024-25 and set a Public Hearing on the matter for July 15, 2024.

DISCUSSION:

The Engineer's Report, which includes the respective proposed 2024-25 Assessment Roll data, is on file with the City Clerk for public review. The assessment estimates by Zone are reflected in the table above and also set forth in the Engineer's Report. In no case is the assessment rate higher than the previous year. However, parcels may have been added as a result of development. The established and fixed assessment rate-formula varies by Zone within the District depending on the types and levels of services received. There are no proposed increases to the assessment formulas within the District. Therefore, there are no Proposition 218 requirements to be met for the current action. However, it should be noted that a possible increase to the assessment for the University Corporate Center Zone H is currently being evaluated.

Adoption of the proposed Resolution will confirm the Assessment District Diagrams, including Zone Boundaries, and the list of assessments to be levied by the County Assessor for FY 2024-25. This action is necessary to meet the deadline set by the Los Angeles County Auditor-Controller for inclusion on the FY 2024-25 Assessment Roll.

ATTACHMENTS:

Attachment No. 1 – Resolution No. 2024-93 confirming the Assessment District Diagrams, Zone Boundaries, and the Levy of Fiscal Year 2024-25 Assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District.

Attachment No. 2 – Notice of Public Hearing

Attachment No. 3 – Engineer’s Report for Fiscal Year 2024-25

Prepared by:

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