



# CITY OF POMONA COUNCIL REPORT

March 19, 2018

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Meg McWade, Public Works Director

Subject: **Adoption of a Resolution Authorizing Harris & Associates as the Engineer of Record for FY 2018-19 and Ordering Preparation of the 2018-19 Engineer's Report for the Annual Assessment Levy of Consolidated Citywide Street Lighting and Landscaping Maintenance District**

## OVERVIEW

**Recommendation** – That the City Council adopt a Resolution (Attachment) authorizing Harris & Associates as the Engineer of Record for FY 2018-19, and ordering the preparation of the 2018-19 Annual 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 2018-19.

**Fiscal Impact** – The cost for professional services for Harris & Associates will be funded through the Assessment Maintenance District funds. The proposed fees are a fixed amount of \$12,230. Funding for this project is as follows:

253-4075-52285-00000	\$1,000	South Garey Ave
254-4072-52285-00000	\$1,000	University Corp Ctr
255-4074-52285-00000	\$1,500	Zone C
256-4076-52285-00000	\$8,730	Phillips Ranch – Zone AB
Total	\$12,230	

**Public Notice Requirements** - No Public Hearing is required for the ordering of the Engineer's Report; however, the Adoption of the District's Engineer's Report will require a Public Hearing.

**Previous Related Action** – On April 17, 2017, City Council adopted Resolution No. 2017-50, authorizing Harris & Associates as the Engineer of Record and ordering the preparation of the Annual Report for the Assessment Levy for the Consolidated Citywide Street Lighting and Landscaping Maintenance District for FY 2017-18.

On June 19, 2017, City Council approved the Engineer's Report and adopted Resolution No. 2017-86 declaring the City's intention to annex additional territory into the Assessment District, levy assessments for Fiscal Year 2017-18, and the setting of the Public Hearing on the matter for July 10, 2017.

On July 10, 2017, due to publication error, the City Council adopted Resolution No. 2017-101 to re-set the Public Hearing on the matter for August 7, 2017.

On August 7, 2017, City Council conducted a Public Hearing and adopted Resolution No. 2017-326 confirming the Assessment District Diagram and the Assessments to be placed on the Fiscal Year 2017-18 tax rolls.

## **EXECUTIVE SUMMARY**

This action declares Harris & Associates as the Engineer of Record for Pomona's Consolidated Citywide Street Lighting and Landscaping Maintenance District (District), and authorizes Harris and Associates to prepare the Fiscal Year 2018-19 Annual Engineer's Report in accordance with the Landscaping and Street Light Act of 1972. The declaration of an Engineer of Record is a statutory requirement which must be completed prior to preparing the report, which outlines the District charges per parcel. The report will be considered at a Public Hearing. Upon receiving testimony at the Public Hearing, City Council will consider approval of report for submittal to the Los Angeles County Auditor by the August 3, 2018 deadline.

## **DISCUSSION**

Prior to June 1990, the City operated four Assessment Maintenance Districts, with nine Zones (A through I), each as a separate process. In 1990, pursuant to the Landscaping and Street Lighting Act of 1972, the City established a Consolidated Citywide Street Lighting and Landscaping Maintenance District that now includes eight Zones, which is handled as a single process. The City's eight maintenance zones include: Zone A for landscaping only in Phillips Ranch; Zone C (citywide) and Zone I (Emerald Court Tract) which are for lighting only; and Zones B (Phillips Ranch), D (Garey Avenue – State Route 71/Lexington), E (Garey Avenue – Auto Center), F (Garey Avenue – Lexington to Ninth), and H (University Corporate Center) which are for lighting and landscaping.

The Engineer of Record will oversee the following actions for revenue collection: 1) preparing plans, specifications, a cost estimate, diagram, and Engineer's Report, consistent with the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California; 2) conducting a Public Hearing declaring the City's intention to provide for the annexation of additional property; 3) and establishing the Annual Levy Collection of Assessments pursuant to the provisions of Division 15, Part 2 of the Streets and Highways Code of the State of California. These actions are to be approved by Council Resolution and adopted prior to the Assessment Roll submission, by the Engineer of Record, to the Los Angeles County Auditor by August 3, 2018.

Through an informal bid process, an Engineer of Record was selected to prepare the Annual Engineer's Report, and all other required processes to finalize the City's Assessment Roll. A

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total of five consulting firms were contacted and only two proposals were received. A panel independently reviewed and rated each proposal. The consultant with the highest rating was selected. The proposed Engineer of Record is Harris & Associates and will perform the work for a not-to-exceed amount of \$12,230. Harris & Associates has successfully provided these services for the City in the past.

The following schedule is anticipated for the required District proceedings for the City's FY 2018-2019 Assessment:

**DISTRICT RENEWAL PROCEEDINGS**

**DATE**

Adopt Resolution Designating the Engineer of Record and Ordering Preparation of the Engineer's Report

March 19, 2018\*

Complete Preliminary Parcel Map Reconciliation

May 1, 2018

Complete Draft Preliminary Engineer's Report

May 22, 2018

Adopt Resolution Approving Preliminary Engineer's Report and Setting Public Hearing

June 4, 2018\*

Conduct Public Hearing and Adopt Final Resolution

July 16, 2018\*

Deadline to Submit Assessments/Parcel Information to County Recorder

August 3, 2018

*\*Proposed City Council action dates*

The City of Pomona's Consolidated Citywide Street Lighting and Landscaping District remains exempt from the provisions of Article XIID of the State Constitution (Proposition 218), until such time as an increase of the City's assessment rates is proposed (e.g., additional revenue required to cover cost of services).

*Phillips Ranch Assessment District*

The Phillips Ranch Assessment District has not had an adjustment to the assessment rate since the early 1990's. There is no rate adjustments proposed through this process which will establish assessment levels for FY 18/19. However, the City is aware costs have far outpaced the assessment district revenues, and as a result an Ad Hoc Committee made up of concerned Phillips Ranch Assessment District residents is being proposed. The City is in receipt of applications, and it is anticipated this Committee will be formed in the near future. The Committee will review assessment fees and service levels and will provide recommendations to the City Council for consideration. If the City makes a determination to adjust the charges, the City would comply with all Proposition 218 requirements, including a vote of the residents affected by the change. If approved, it is anticipated any change would be implemented by FY 2019/20.

Attachment: Resolution

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