



CITY OF POMONA COUNCIL REPORT

June 17, 2019

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted By: Rene Guerrero, Interim Public Works Director

**SUBJECT: CONSOLIDATED CITYWIDE STREET LIGHTING AND
LANDSCAPING MAINTENANCE DISTRICT, ZONES A AND B
ASSESSMENTS**

RECOMMENDATION: It is recommended that the City Council adopt the following Resolution:

RESOLUTION NO. 2019-47 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, APPROVING THE ANNUAL ENGINEER'S REPORT, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT, ZONES A AND B FOR FISCAL YEAR 2019-20, AND GIVING NOTICE OF AND SETTING THE TIME AND PLACE OF THE PUBLIC HEARING ON THE ANNUAL LEVY OF ASSESSMENTS

EXECUTIVE SUMMARY: On May 6, 2019, Council adopted Resolution 2019-46 to initiate proceedings to reorganize the territory currently known as Zones A and B within the City's existing Consolidated Citywide Street Lighting and Landscaping Maintenance District into its own separate assessment district, tentatively called the "Phillips Ranch Landscaping and Lighting Maintenance Assessment District." If there is no "majority protest" after the conclusion of the public hearing on the matter, scheduled for July 15, 2019, the Council may establish the proposed new District and approve the proposed new assessment. However, in the event that the ballot measure does not pass, it is necessary to adopt Resolution 2019-47 (Attachment No. 1) approving the annual engineer's report (Attachment No. 2) and declaring its intention to levy and collect annual assessments for the existing Consolidated Citywide Street Lighting and Landscaping Maintenance District, Zones A and B for fiscal year 2019-20.

FISCAL IMPACT: There is no increase or adjustment to the previous year's assessment formulas in this Engineer's Report and Assessment table. The total Assessment Levy for Fiscal Year 2019-20 is \$949,146, plus the City's portion of \$4,088, for a total of \$953,234. The Assessment is derived from assessments to properties receiving special benefits from the Assessment District. Funds from this assessment are placed in a special fund and can only be spent for the purposes described in the Lighting and Landscape Act. Expenditures can only be made after the City Council appropriates the funds through normal budgetary processes.

PREVIOUS RELATED ACTION: On May 6, 2019, Staff recommended that Council adopt Resolution 2019-46 to initiate proceedings to reorganize the territory currently known as Zones A and B within the City's existing Consolidated Citywide Street Lighting and Landscaping Maintenance District into its own separate assessment district, tentatively called the "Phillips Ranch Landscaping and Lighting Maintenance Assessment District." On March 18, 2019, the City Council selected a service level assessment option to be placed on a ballot to be voted on by property owners in what is currently the Phillips Ranch Assessment District – Zones A and B. On February 4, 2019, the City Council adopted a Resolution authorizing NBS Government Finance Group (NBS) to be the Engineer of Record for FY 2019-20 for the existing Phillips Ranch Zones A and B Assessment District and authorized the preparation of the FY 2019-20 Engineer's Report for the Annual Assessment Levy for that District. On November 19, 2018, the City Council adopted a Resolution awarding a contract to NBS for assessment consulting services related to the Phillips Ranch Zones A and B Assessment District. On April 23, 2018, the City Council authorized the formation of the Phillips Ranch Assessment District Ad-Hoc Committee.

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.

Staff is recommending that the territory currently known as the Zones A and B, combined, be reorganized into its own separate assessment District, tentatively called the "Phillips Ranch Landscaping and Lighting Maintenance Assessment District." To that end, the Council has taken the initial steps to establish a new District in Phillips Ranch and to obtain approval to levy new assessments within that District. Ultimately, the property owners within that territory will decide whether the new District and assessments are approved through the "majority protest" ballot process mandated by California law (Proposition 218). The public hearing for that item is scheduled for July 15.

If the new District and assessment are approved by the property owners in Phillips Ranch, Staff intends to withdraw its request for the annual assessment of Zones A and B under the existing Citywide District because the new assessment will supersede the current one. However, should

the new District and assessment not be approved, Staff intends to request that the Council approve the annual assessment under the existing District in order to maintain current funding for

Zones A and B. In order to keep this process on track, it is necessary for Council to concurrently adopt this resolution declaring its intent to levy and collect annual assessments for Zones A and B.

It is noted that this item only affects annual assessments for Zones A and B within the Citywide District. Annual assessments for Zones C through I will be addressed as a separate agenda item on a future date.

There is no increase or adjustment to the previous year's assessment formulas. The assessment for FY 2019-20 is \$949,146, and a City contribution of \$4,088, provides for a total of \$953,234. The \$4,088 contributed by the City is for maintenance services related to Caltrans rights-of-way that are within the Assessment District. The Assessment Roll is on file with the City Clerk for public review. The Public Hearing will be held on July 15, 2019 at 7:00 p.m. or as soon thereafter as is feasible in the Council Chambers located at 505 Garey Avenue, Pomona, California.

ATTACHMENTS:

Attachment No. 1 – Resolution Approving the Annual Engineer's Report, Declaring its Intention to Levy and Collect Annual Assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District, Zones A and B, for Fiscal Year 2019-20 and Giving Notice of and Setting the Time and Place of the Hearing on the Annual Levy of Assessments

Attachment No. 2 – Engineer's Report for existing Consolidated Citywide Street Lighting and Landscaping Maintenance District, Zones A and B, for Fiscal Year 2019-20

Prepared by:

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