

CITY OF POMONA

ENGINEER'S REPORT
STREET LIGHTING AND LANDSCAPING
MAINTENANCE DISTRICT
FISCAL YEAR 2019-20
LOS ANGELES COUNTY, CALIFORNIA

May 31, 2019

PREPARED BY



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TABLE OF CONTENTS

Engineer's Certification	i
Part I - Overview	1
Part II - Plans and Specifications	3
Part III - Cost Estimate	4
Part IV - Method of Apportionment	5
Appendix A - Assessment Diagram	10
Appendix B - Annexations	11
Appendix C – Assessment Roll	12



ENGINEER'S CERTIFICATION

AGENCY: THE CITY OF POMONA

PROJECT: STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT

TO: THE CITY COUNCIL OF THE

CITY OF POMONA STATE OF CALIFORNIA

ENGINEER'S REPORT FOR FISCAL YEAR 2019–20

The preparation of this Annual Engineer's Report ("Report") is in conformance with the obligation of the City Council for the Pomona Street Lighting and Landscaping Maintenance District of the City of Pomona to provide street lighting and landscaping services upon each lot or parcel of land in the district in proportion to the estimated benefit to be received by each such lot or parcel of land for Fiscal Year 2019–20.

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500) ("Act"), Article XIIID, Section 5(a) of the State of California Constitution, and in accordance with the City of Pomona's Resolution being adopted by the City Council for:

STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT

(Hereinafter referred to as the "District"),

I, K. Dennis Klingelhofer, authorized representative of the District, the duly appointed Assessment Engineer submit the following Report which consists of the following four (4) parts and Appendices:

PART I

Overview: Provides the background and reason for the District.

PART II

<u>Plans and Specifications:</u> Plans and specifications for the existing and ultimate improvements are as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk and are incorporated herein by reference.

i



PART III

<u>Cost Estimate</u>: An estimate of the costs of the maintenance and/or servicing of the existing and ultimate improvements for Fiscal Year 2019-20, including incidental costs and expenses in connection therewith.

PART IV

<u>Method of Apportionment:</u> This part describes the method of apportionment of assessments, indicating the proposed assessment of the total amount of the costs and expenses of the improvements upon the several lots and parcels of land within the Assessment District, in proportion to the estimated benefits to be received by such lots and parcels.

Appendices

Appendix A – Assessment Diagram

Appendix B – Annexations

Appendix C – Assessment Roll

In conclusion, it is my opinion that the costs and expenses of the District have been assessed to the lots and parcels within the boundaries of the District in proportion to the estimated benefits to be received by each lot or parcel from the services provided.

Dated: May 31, 2019

Harris & Associates

PROFESSIONAL CANALOGUE NO. 50255

K. Dennis Klingelhofer, P.E., Assessment Engineer

R.C.E. No. 50255

Engineer of Work

County of Los Angeles

State of California



PART I – OVERVIEW

The City of Pomona (the "City") established the Consolidated Citywide Street Lighting and Landscaping Maintenance District to provide a source of funding for the on-going maintenance of the amenities that were installed for the benefit of the parcels within the District. The district was created under Article 4, Chapter 1, of the Landscaping and Lighting Act of 1972 (the "72 Act") which is Part 2, Division 15 of the California Streets and Highways Code (the "Act"). As required, the City prepares an Engineer's Report annually and holds a public hearing to allow property owners within the District to address the City Council prior to the annual levy of the assessments.

In July 1990, the City established a Consolidated Citywide District with six benefit/improvement zones (Zones A through F). In subsequent years, as new development occurred, additional Zones were formed, resulting in nine benefit/improvement zones (A through I).

Zone G was established to fund the installation of street lights on seven streets formerly identified as zones G-1 through G-7. Lights were installed on Cadillac Drive, Ballerina Place, St. Paul Street, Dudley Street, Arroyo Street, Elwood Avenue and Kingsley Avenue. In Fiscal Year 1998-99, the final of seven annual installments for the installation of street lights were paid. Beginning with Fiscal Year 1999-00, all parcels formerly in Zones G-1 through G-7 have been included in Zone C.

In 2008, proceedings were initiated in Zones A & B (Phillips Ranch Landscaping Zones) to increase the rates that had been unchanged since Proposition 218. On July 21, 2008 a Public Hearing was conducted, ballots were tabulated and there was a majority vote against the increase so the rates have remained the same and reductions in maintenance levels have been made over the years as well as requiring contributions from the General Fund to offset the cost deficit.

This Engineer's Report (the "Report") sets forth the proposed assessments for Fiscal Year 2019-20 for the Street Lighting and Landscaping Maintenance District (the "District"). Since the District was created prior to the passage of Proposition 218 in 1996, which established Article XIIID of the State Constitution, the Street Lighting and Landscaping Maintenance District is a "grandfathered" assessment district under Section 5 of Article XIIID of the State Constitution. As such it is not subject to the legal requirements of Proposition 218 so long as the assessments remain at rates that are equal to or less than the maximum assessment rates that were in place in June 30, 1997. As a result, the District does not have a built-in escalation factor to account for the increasing operating and maintenance costs.

A description of District improvements is provided in Part II of this Report and the estimated cost of maintenance services for Fiscal Year 2019-20 are detailed in Part III of this Report. The method of apportioning Zone costs to the parcels of land within each Zone of the District is provided in Part IV of this Report and the full Assessment Roll that lists the assessment amount for each parcel in the District for Fiscal Year 2019-20 (referenced in Appendix C) is on file in the office of the City Clerk.

Engineer's Report
Street Lighting and Landscaping Maintenance District
City of Pomona
Fiscal Year 2019-20



Each year as property develops, they are annexed into the appropriate District Zone for the benefits they receive. A list of the parcels that have approved the annexation for inclusion in Fiscal Year 2019-20 is shown in Appendix B.

The Phillips Ranch area is being reviewed separately to consider a rate increase in compliance with Prop. 218 for Fiscal Year 2019-20, but is included in this report in its original format until the outcome is determined.

Zone E was initially established to install and maintain medians and parkways for the parcels located on Auto Center Drive, White Avenue and Rio Rancho Road. At the time the zone was created, the land use for all parcels within the zone was non-residential and the spread of the assessment was based on acreage of each parcel. In the fall of 2018, the City began discussion with a developer to build single family homes on two of the properties. Those properties have been assessed at the non-residential rate per acre since the formation of the zone. With the anticipation of this new development, this report has been modified to include a residential rate for Zone E. The details of reallocating the assessments is included in Section IV, Method of Apportionment.



PART II – PLANS AND SPECIFICATIONS

The facilities, which have been constructed within the boundaries of the District, and those which may be subsequently constructed, will be operated, maintained and serviced as generally described as follows:

The improvements consist of the construction, operation, maintenance and servicing of street lighting, traffic signals, landscaping, and park and recreational facilities and appurtenant facilities, including but not limited to, personnel, electrical energy, utilities such as water, materials, contracting services, and other items necessary for the satisfactory construction, operation, maintenance, and servicing of the improvements described below.

Landscaping

Landscaping, plantings, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance and appurtenant facilities located within parkways, medians, parks, recreation areas, trails, city building grounds, street right-of-ways and dedicated easements which are within the boundaries of the District.

The street medians that are being maintained within the District are generally located on "major streets or thoroughfares", which include roadways such as those defined in the General Plan Circulation Element as Prime Arterial, Major or Collector Streets, or within roadways that provide a District-wide benefit as designated by the City Engineer.

Lighting

Poles, fixtures, bulbs, conduits, equipment including guys, anchors, posts and pedestals, metering devices, appurtenant facilities, and tree pruning around lights as required to provide lighting in public rights-of-way and easements within the proposed boundaries of the District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities, and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities, 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; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities, or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping, or appurtenant facilities.



PART III – COST ESTIMATE

The cost of the construction, operation, maintenance, and servicing of the improvements for Fiscal Year 2019-20, as described in Part I, are summarized herein and described as below.

	Lighting Zone C-F and I	South Garey Zone D Landscaping ¹	Auto Center Zone E Landscaping ¹	South Garey Zone F Landscaping ¹	Total Landscape Zones D-F	University Corp. Center Zone H	Total *	
Expenditures								
Personnel Costs	\$27,959	\$5,989	\$10,681	\$3,371	\$20,041	\$26,442	\$74,442	
Contractual Services	14,677	16,966	30,260	9,550	56,776	28,917	\$100,370	
Utilities	80,000	6,189	11,038	3,483	20,710	25,335	\$126,045	
Internal Services	183	1,233	2,200	694	4,127	3,883	\$8,193	
Other Operating Costs						200	\$200	
Transfer Out	19,817						\$19,817	
Total Expenditures	\$142,636	\$30,377	\$54,179	\$17,098	\$101,654	\$84,777	\$329,067	
Collections/(Credits) Applied to Le	Collections/(Credits) Applied to Levy							
General Fund Contribution	\$0	(\$1,899)	(\$3,388)	(\$1,069)	(\$6,356)	(\$22,210)	(\$28,566)	
Balance to Levy	\$142,636	\$28,478	\$50,791	\$16,029	\$95,298	\$62,567	\$300,501	

¹ Expenditures were allocated for Zones D-F based on the percentage of revenue until more detailed information is available.

The Landscape and Lighting Act of 1972 ("Act") requires that a special fund be set-up for the revenues and expenditures of the Assessment District. Funds raised by assessment shall be used only for the purposes as stated herein. A contribution to the Assessment District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance remaining on July 1 must be carried over to the next Fiscal Year.

^{*} May be off slightly for rounding



PART IV - METHOD OF APPORTIONMENT

General

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by Agencies for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals, landscaping, parks and recreation facilities.

Section 22573 of the Landscape and Lighting Act of 1972 requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section 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.

The Act permits the designation of benefit zones within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement" (Sec. 22547). Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax."

Excepted from the assessment would be the areas of all publicly owned property in use in the performance of a public function.

Benefit Determination

Landscaping - Trees, landscaping and parks, if well maintained, provided beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property value.

Lighting – Parcels within the District derive benefit from the street lighting for convenience, safety and protection of people and property they provide.

Description of Assessment Zones

The assessment zones are described below indicating the type of benefit received. Please see the following pages in this Report for more information regarding the assessment zones.



Zone	Description	Landscaping Benefit	Lighting Benefit
С	District-Wide	No	Yes
D	Garey Ave Lexington Ave to Route 71	Yes	Yes
E	Garey Ave Auto Center	Yes	Yes
F	Garey Ave 9th St. to Lexington Ave.	Yes	Yes
Н	University Corporate Center	Yes	Yes
Ī	Emerald Court - Tract No. 52097	No	Yes

Parcel Summary

The following is a summary, by zone, of the parcel data within each zone that was used to calculate the assessments.

		Landscaping			Lighting	Total Asmt
Zone	Number of Parcels	Frontage in Lineal Feet	Number of Dwelling Units	Area in Acres	Number of EDU's	Fiscal Year 2019-20
С	3,784		3,033	874.78	8,200.56	\$126,042.61
D	38	6,289.59	4	64.62	391.84	\$34,499.70
Е	25		114.00	52.62	363.42	\$56,376.63
F	155	7,539.41	87	40.04	276.37	\$20,276.50
Н	19			41.62	249.72	\$62,567.37
I	48		48		48.00	\$737.76
TOTAL	4,069	13,829.00	3,286	1,073.69	9,529.91	\$300,500.57

Lighting Assessment Analysis

Since the assessment will be levied against parcels of property as shown on the tax roll, the final charges must be assigned by Assessor's Parcel Number. If assessments were to be spread just by parcel, not considering land use or parcel size, a single family parcel would be paying the same as a 50 unit apartment parcel or a large commercial establishment in a similar zone and this would not be equitable.

The single family residential lot has been selected as the basic unit for calculation of assessments and is defined as one Equivalent Dwelling Unit (EDU). A methodology has been developed to calculate the EDU's for other residential land uses and for non-residential parcels. Every land-use is converted to EDU's either by the number of dwelling units or by the lot size as appropriate for each land-use.

Commercial, industrial and multiple residential parcels (apartments) are assessed 6 EDU's per acre, or any portion thereof, with a minimum of 1 EDU per parcel. The allocation was developed by analyzing the average density of single family parcels receiving lighting assessments. A condominium unit is equal to 1 EDU.

The EDU method is seen as the most appropriate and equitable method of spread for, as the benefit to each parcel from the improvements are apportioned as a function of land-use type and size.



ZONES C-F and I

The lighting maintenance costs, for lighting facilities located within and along public streets and sidewalks, are spread on an EDU basis to Zones C through F, and I. The assessment rate equals the total assessment divided by the total number of EDU's as follows:

Total Lighting Assessment = \$126,042.61 Total EDU's = 8,200.56 Assessment Rate = \$126,042.61 ÷ 8,200.56 = **\$15.37 / EDU**

Properties within Zone I (Emerald Court, Tract No. 52097), provided the City with a 100% petition requesting the City maintain the future local lighting improvements. There are 48 residential lots in this area. For Fiscal Year 2019-20, the City will be providing local lighting maintenance. The Assessment Rate for Lighting is calculated as follows:

Total Costs for Lighting = \$737.76Total EDU's = 48.0Assessment Rate = $$737.76 \div 48.0$ EDU's = \$15.37 / EDU

ZONE H

The lighting assessment for Zone H also uses the EDU method, however it is combined with the landscape costs. The Assessment Methodology used for Zone H is described in the "Combined Lighting and Landscaping" below.

Landscaping Assessment Analysis

South Garey Avenue (Zones D, E, & F)

Zones D, E, and F relate to the South Garey Avenue area, for landscaping facilities located within and along public streets and sidewalks. The landscaping maintenance costs for zones D and F are averaged between the frontage on Garey Avenue and the area of the parcel. The total assessment is divided in half, with one half spread on an area basis, and the other half on a frontage basis. This recognizes the fact that there is not a uniform relationship between area and frontage for the properties within these zones.

Parcels along Garey Avenue that are either zoned residential (County use code R-1), or have actual residential uses are included within the Assessment District but are not assessed. Such parcels will be assessed if, and when, they have commercial uses. There are a few residential developments that are assessed in the Methodology Exceptions that follows.



Methodology Exceptions:

- 1) Zone F: Tract No. 49624, a 73-unit residential development. The assessment for this development is equal to that of a parcel with 660 lineal feet of frontage and 9.24 acres of area, and it is divided equally among the 73 residential units.
- 2) Zone E: At formation of the district, the assessment was levied on all parcels in Zone E based on acreage because it was part of the overall South Garey Avenue plan of development. As a result of the change in land use to residential for two of the properties, the assessment is reallocated using the acreage for the original parcel(s) and spread equally to each dwelling unit since all of the units are deemed to benefit equally. Future residential tracts will assume the assessment obligation for the parcel they will be built upon since each of the original parcels was apportioned the benefit assessment based on acreage. For the development planned on parcels 8344-024-050 and 051, the number of units is not final yet, but it is anticipated to have between 114 and 120 units, therefore the maximum assessment is calculated by dividing the existing assessment of \$12,530.42 by 114 for a combined lighting and landscaping unit rate of \$109.92 (\$15.37 for lighting and \$94.55 for Landscaping).

Landscaping Assessment Rate Calculations

Zone	Rate Type	Total Assessment	Portion Assessed	Assessment Spread	Quantity	Assessment Rate
D	Area	\$28,478	50.08%	\$14,263	64.625 Ac	\$220.70 / AC
D	Front	\$28,478	49.92%	\$14,215	6,289.59 LF	\$2.26 / LF
Е	Area	\$43,846	100.00%	\$43,846	52.622 Ac	\$965.20 / AC
F	Area	\$16,029	49.20%	\$7,886	40.039 Ac	\$196.96 / AC
F	Front	\$16,029	50.80%	\$8,143	7,539.41 LF	\$1.08 / LF



Combined Lighting and Landscaping Assessment Analysis

Properties within University Corporate Center (Zone H) petitioned the City to maintain their local lighting and landscaping improvements, located within and along the streets and sidewalks.

There are 19 commercial parcels in this area with 41.62 acres. Commercial parcels are assessed 6 EDU's per acre, or any portion thereof, with a minimum of 1 EDU per parcel. The lighting and landscaping maintenance costs are spread on an EDU basis. The assessment rate equals the total assessment divided by the total number of EDU's as follows:

Total Costs for Lighting and Landscaping = \$62,567Total EDU's = 249.72Assessment Rate = $$62,567 \div 249.72$ EDU's = \$250.55 / EDU

Assessment Rate Summary

Zone	Area	Landscaping Rate	Lighting Rate	
С	District-Wide	n/a	\$15.37 / EDU	
D	Garey Ave Lexington Ave to Route 71	\$220.70 / AC + \$2.26 / LF	\$15.37 / EDU	
Е	Garey Ave Auto Center Non-Residential	\$965.20 / AC	\$15.37 / EDU	
E	Garey Ave Auto Center - Residential	Maximum \$94.55 / DU*	\$15.37 / EDU	
		\$196.96 / AC + \$1.08 / LF (Tract		
F	Garey Ave Lexington to 9th	No. 49624 > \$34.70 / DU)	\$15.37 / EDU	
Н	University Corporate Center	combined assessment>	250.55 / EDU	
I	Emerald Court - Tract No. 52097	n/a	\$15.37 / EDU	

^{*} Maximum Rate of \$94.55 per Dwelling Unit (DU) for Landscaping is based on 114 planned units.

There is no increase in assessment rates for Fiscal Year 2019-20 from the prior year. Any future increases in assessment rates will require noticing and balloting as provided by Article XIIID of the State Constitution (Proposition 218).



APPENDIX A – ASSESSMENT DIAGRAM

An Assessment Diagram for the Assessment District is on file in the office of the City Clerk. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Los Angeles, for the year when this Report was prepared, and are incorporated by reference herein and made part of this Report.

A reduced copy of the diagrams are provided at the back of this report.



APPENDIX B – ANNEXATIONS

One hundred percent (100%) of the owners of the parcels shown in the following list have given their consent for the levy of the assessment in the Street Lighting and Landscaping Maintenance District:

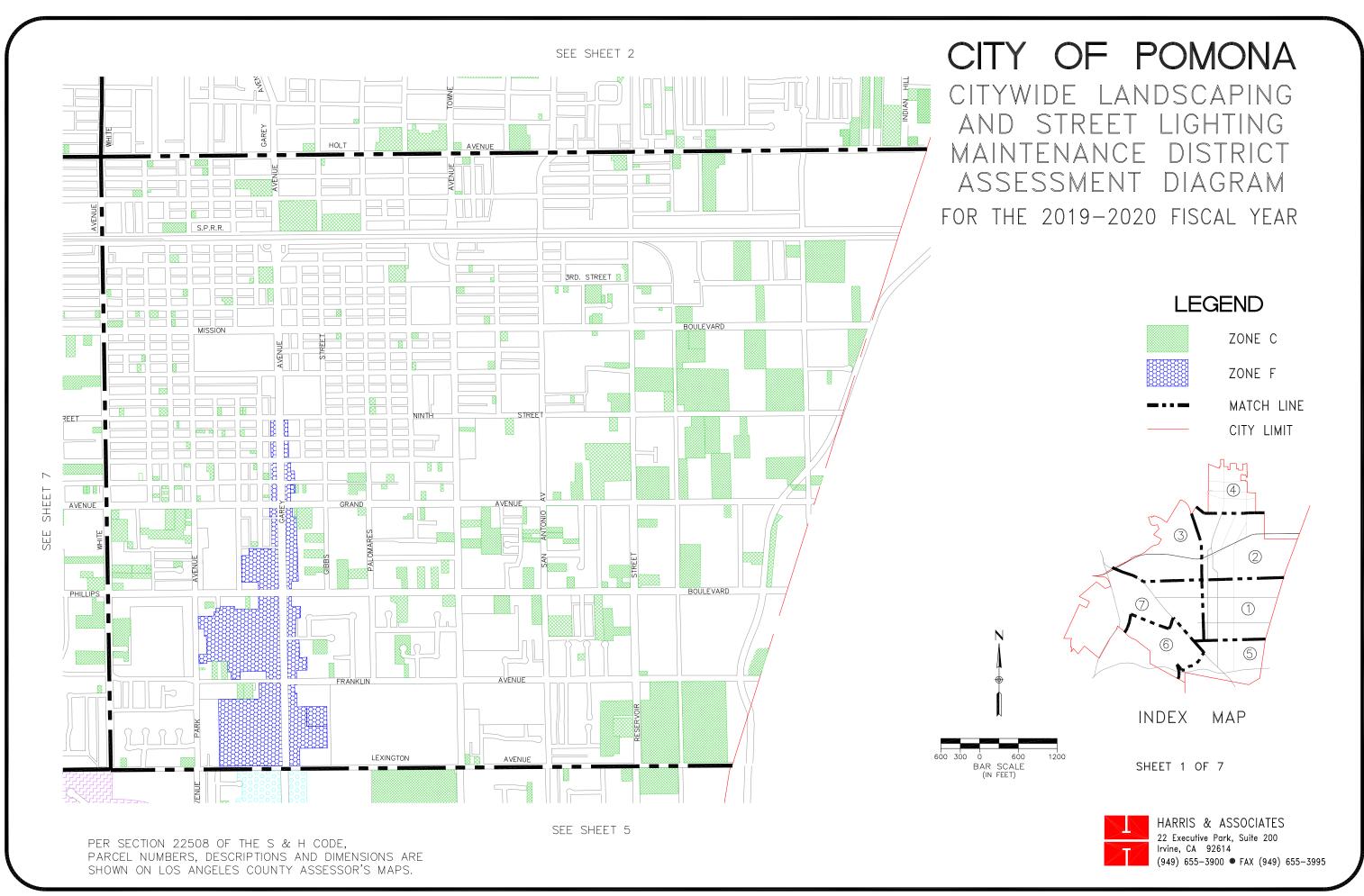
Parcel Number	Property Address	Parcel Number	Property Address
8341-023-048	1201 S PARCELS ST	8343-008-081	1459 S REBECCA ST
8317-034-069	2343 N SAN ANTONIO AVE	8344-013-028	1748 S HUNTINGTON ST
8323-002-021	883 N MOUNTAIN VIEW AVE	8344-023-046	1950 BAUDIN ST
8323-027-014	690 INDIAN HILL BLVD	8348-012-035	751 W MONTEREY AVE
8327-001-032	ADDRESS NOT AVAILABLE	8348-013-016	235 N HUNTINGTON ST
8327-001-033	1061 E PHILLIPS BLVD	8349-026-086	1446 W 11TH ST
8327-007-006	1172 E 9TH ST	8357-003-035	763 LEWIS ST
8327-013-011	1265 E 9TH ST	8357-003-036	737 LEWIS ST
8327-013-012	1295 E 9TH ST	8358-019-008	1006 WEBER ST
8328-006-055	1641 LAWRENCE PL	8358-023-017	990 WEBER ST
8330-013-028	2780 S RESERVOIR ST	8358-023-028	927 LEWIS ST
8333-006-005	725 E GRAND AVE	8359-012-002	1760 BERKELEY AVE
8333-019-022	206 E 12TH ST	8360-012-009	1740 GILLETTE RD, RM 00130
8333-020-025	190 E GRAND AVE	8360-014-022	845 HILLCREST DR
8335-021-032	703 E 7TH ST	8367-001-086	3240 N GAREY AVE
8337-008-006	760 E KINGSLEY AVE	8371-016-017	2377 N GAREY AVE
8337-027-021	357 E MONTEREY	8707-006-011	2207 VALLEY BLVD
8339-020-028	1581 N ORANGE GROVE AVE	8337-004-014	417 E KINGSLEY AVE
8341-022-040	409 W 12TH ST	8710-014-018	3200 W TEMPLE AVE
8342-020-030	1095 W 8TH ST	8708-003-003	2380 SCENIC DR
8342-024-022	727 W 12TH ST	8344-032-010	2173 GAMBIER DR
8343-008-080	1461-1473 REBECCA ST		

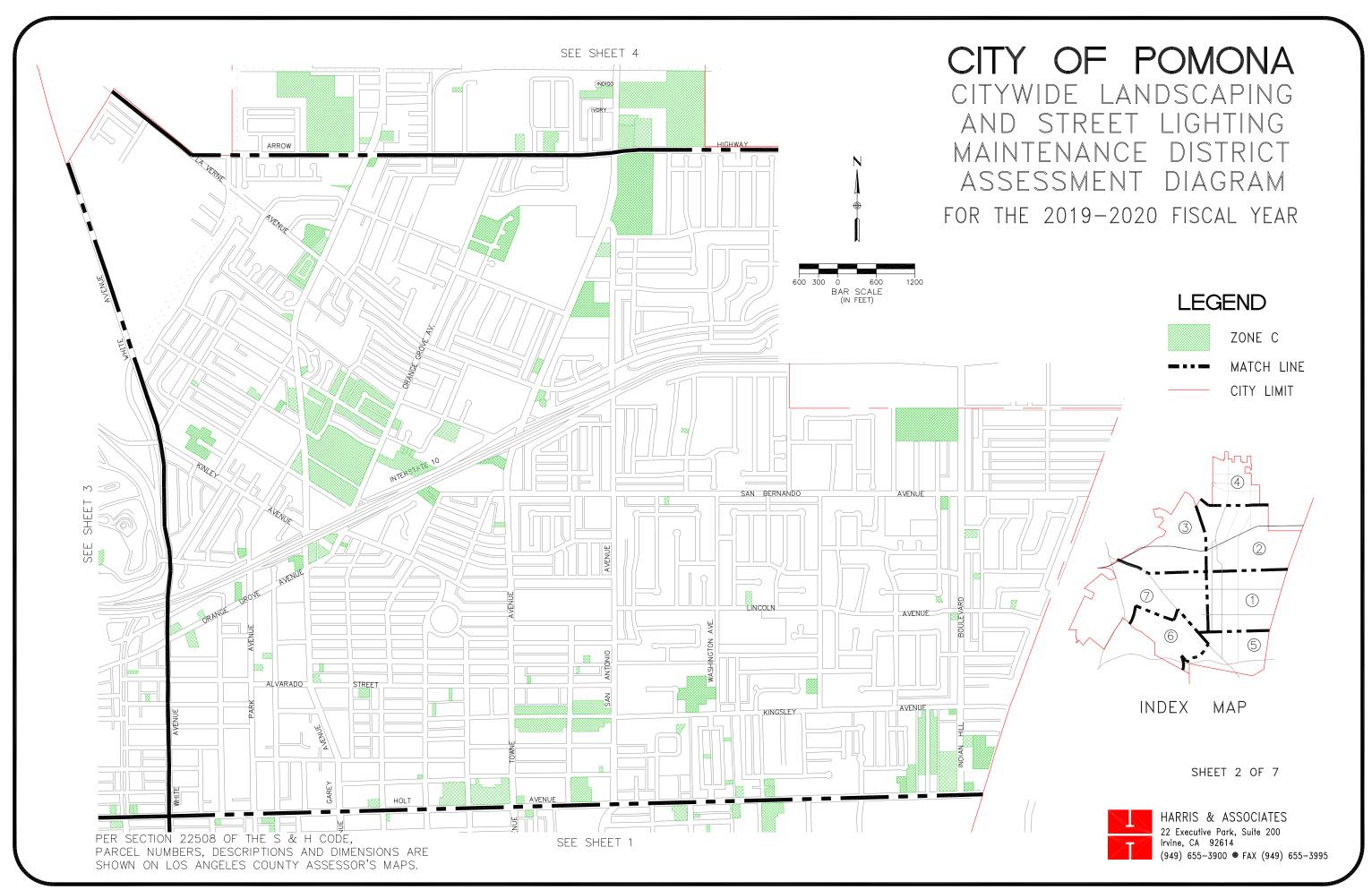


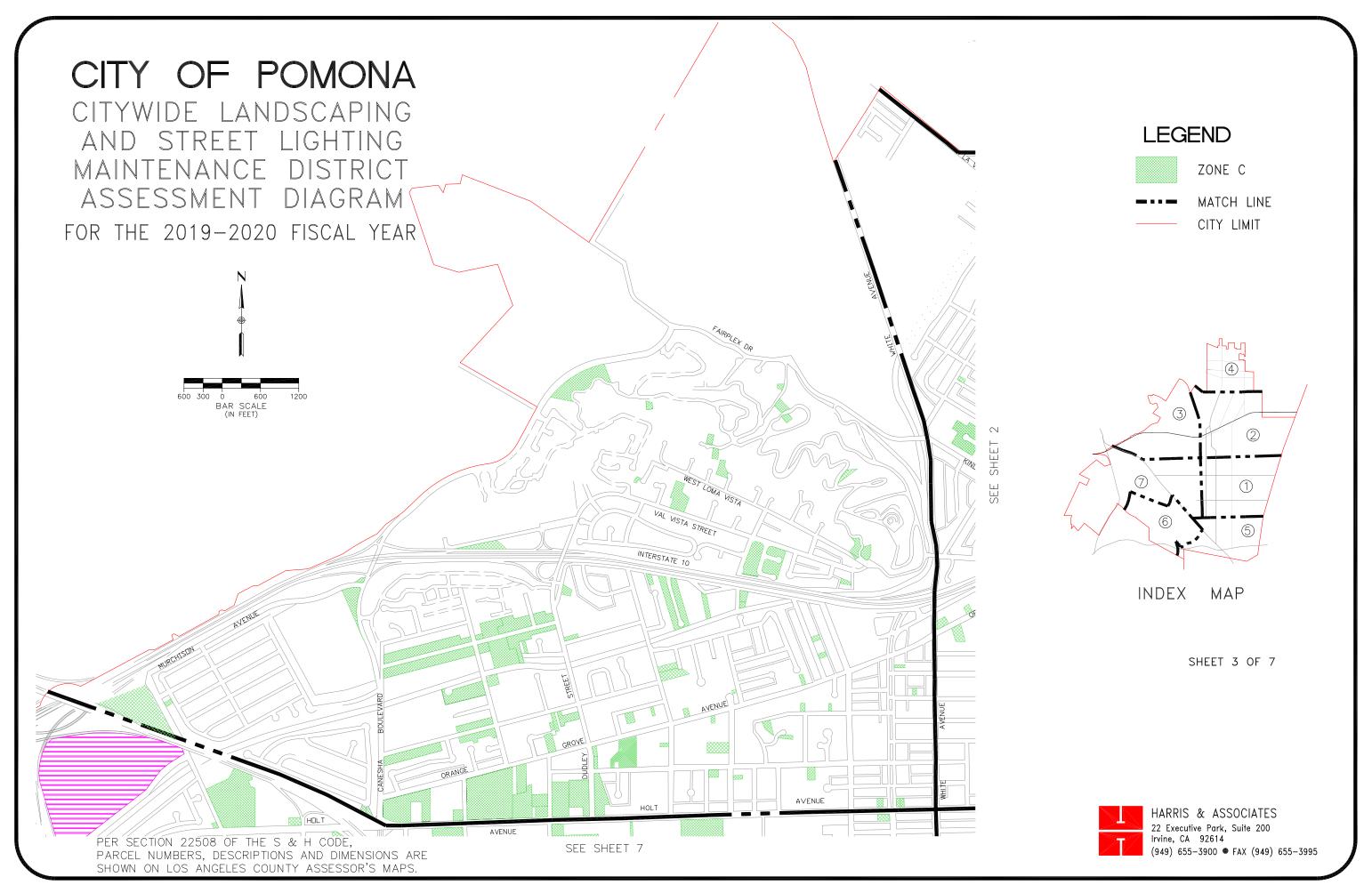
APPENDIX C – ASSESSMENT ROLL

The total proposed assessment for Fiscal Year 2019-20 and the amount of the total proposed assessment apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Los Angeles County Assessor's Office, are contained in the Assessment Roll on file in the Office of the City Clerk, which is incorporated herein by reference.

The description of each lot or parcel is part of the records of the Assessor of the County of Los Angeles and these records are, by reference, made part of this Report.







CITY OF POMONA CITYWIDE LANDSCAPING MAINTENANCE DISTRICT ASSESSMENT DIAGRAM **LEGEND** FOR THE 2019-2020 FISCAL YEAR BOULEVARD ZONE C ZONE I MATCH LINE CITY LIMIT BAR SCALE (IN FEET) INDEX MAP SEE SHEET 2 SHEET 4 OF 7 HARRIS & ASSOCIATES 22 Executive Park, Suite 200 Irvine, CA 92614 PER SECTION 22508 OF THE S & H CODE, PARCEL NUMBERS, DESCRIPTIONS AND DIMENSIONS ARE

SHOWN ON LOS ANGELES COUNTY ASSESSOR'S MAPS.

(949) 655-3900 ● FAX (949) 655-3995

CITY OF POMONA

CITYWIDE LANDSCAPING AND STREET LIGHTING MAINTENANCE DISTRICT ASSESSMENT DIAGRAM

FOR THE 2019-2020 FISCAL YEAR

LEGEND



ZONE C



ZONE D

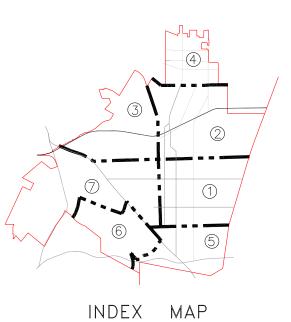


ZONE E



MATCH LINE

- CITY LIMIT



SHEET 5 OF 7



