

**CITY OF SEBASTOPOL  
CITY COUNCIL  
AGENDA ITEM**

**Meeting Date:** April 21, 2020  
**To:** Honorable Mayor and City Councilmembers  
**From:** Ana Kwong – Administrative Services Director  
**Subject:** FY 2020-21 Street Lighting Assessment District  
**Recommendation** Adopt a resolution of intention to levy and collect the annual assessments for Fiscal Year 2020-21 for the City of Sebastopol Street Lighting Assessment District, preliminarily approving the annual Engineer’s Report and setting the date of the Public Hearing in accordance with provisions of the Landscaping and Lighting Act of 1972.

**Funding:** Currently Budgeted:  Yes  No  N/A  
Net General Fund Cost: \$0  
If Cost to Other Fund(s),  
Fund:

Account Code/Costs authorized in City Approved Budget A K (verified by Administrative Services Department)

**INTRODUCTION:** This item is to request that the City Council Approve and Adopt the Resolution Approving the intention to levy and collect the annual assessment for Fiscal Year 2020-21, and preliminarily approving the annual Engineer’s Report and setting the date of the Public Hearing in accordance with provisions of Landscaping and Lighting Act 1972.

**BACKGROUND:**

On March 17, 2020, the City Council adopted a Resolution No. 6285-2020 appointing the Engineer of Work, directing the preparation and filing of the annual Engineer’s Report and describing the potential changes to the Assessment District for fiscal year 2020-21. The annual Engineer’s Report has been prepared and filed and is submitted for your review and preliminary approval.

The District estimated fund balance of \$9,091 is projected for fiscal year end of June 30, 2020. For Fiscal Year 2020-21, the proposed annual assessment is \$31.00 per ESD, decrease of \$2.13 from the previous assessment in fiscal year 2019-20 of \$33.13.

The City of Sebastopol utilizes a city-wide Street Lighting Special Assessment District in accordance with the provisions of the Landscaping and Lighting Act of 1972 to fund the operation and maintenance of the Citywide street light system. The funding sources for the Assessment District costs are the parcels within the Assessment District. The parcels are assessed through an annual process that began by the City Council’s March 17, 2020 action. Tonight meeting is the second of the three annual City Council actions regarding the Assessment District. By adopting the attached resolution, the City Council will set the maximum assessment that could be levied for fiscal year 2020-21.

At the June 2, 2020 Public Hearing (third City Council action), the City Council may authorize the levy and collection of the assessments as presented at that Public Hearing or decrease them, but cannot increase the levy amount greater than the maximum set tonight.

**DISCUSSION:**

The annual Engineer's Report for fiscal year 2020-21 includes:

- a) The description and proposed changes to the Assessment District.
- b) The estimated budget to operate and maintain the street lights system.
- c) The assessment roll for all parcels.
- d) The method of apportionment (spread) of the assessments to each parcel of land in the Assessment District.
- e) The assessment diagram (map) of the Assessment District.

The City Council can make changes to the Engineer's Report up to and including the date of the Public Hearing. The remaining City Council actions for the levy of annual assessments for fiscal year 2020-21 for the City's Street Lighting Assessment District are as follows:

- The City Council holds a Public Hearing planned for June 2, 2020 after 6:00 p.m. to fulfill the public protest hearing requirements in the Street and Highways Code. Upon its conclusion, the City Council may adopt a resolution confirming the assessments, either as preliminarily approved on April 21, 2020, or as modified by the City Council at the conclusion of the June 2, 2020 Public Hearing. The adoption of the resolution shall constitute authorization to levy and collect assessments for fiscal year 2020-21.

These annual proceedings and the City Council actions are required by the Landscaping & Lighting Act of 1972 of the California Streets and Highways Code.

**FISCAL IMPACT:** The proposed annual assessment of \$31.00 per ESD will result in a preliminary revenue amount to \$122,931 associated with the recommended action tonight. This item will be budgeted in the FY2020-21 City Budget with associated expenditure of \$130,000 with a planned use of fund balance of \$7,069.

**RECOMMENDATION:** That the City Council Approve and Adopt the Resolution Approving the intention to levy and collect the annual assessment for Fiscal Year 2020-21, and preliminarily approving the annual Engineer's Report and setting the date of the Public Hearing in accordance with provisions of Landscaping and Lighting Act 1972.

Attachment(s):

Resolution

Draft Annual Engineer's Report

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR FISCAL YEAR 2020-21 FOR THE SEBASTOPOL STREET LIGHTING SPECIAL ASSESSMENT DISTRICT, PRELIMINARILY APPROVE THE ENGINEER'S REPORT AND SET THE DATE OF THE PUBLIC HEARING IN ACCORDANCE WITH THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, during 1981 the City Council ordered the formation of the Assessment District to levy and collect assessments to fund the operation and maintenance of the city-wide streetlight system pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, an Engineer's Report is required to be prepared and filed each year outlining the proposed budget and assessment, the proposed improvements to be maintained and the changes to the Assessment District in order to levy and collect assessment on any following fiscal year; and

WHEREAS, the City Council intends to levy and collect assessments from parcels within the Assessment District during the following fiscal year 2020-21, located within the City of Sebastopol, Sonoma County; and

WHEREAS, on March 17, 2020, the City Council adopted Resolution No. 6285-2020 appointing Joseph G. Gaffney, City Engineer as the Engineer of Work, directing the preparation and filing of the annual Engineer's Report and describing the potential changes to the Assessment District for fiscal year 2020-21; and

WHEREAS, Joseph G. Gaffney, City Engineer has prepared and filed with the City Clerk the annual Engineer's Report for fiscal year 2020-21 as required by the Landscaping and Lighting Act of 1972; and

WHEREAS, the proposed improvements to be maintained in this Assessment District are the streetlights within the Sebastopol City limits; and

WHEREAS, the annual Engineer's Report for fiscal year 2020-21 includes changes to the Assessment District such as subdivision developments, lot splits, land use changes or corrections during fiscal year 2019-20 and there is a decrease of \$2.13 to the equivalent Single-Family Dwelling (ESD) units for a total of 3,965.5 ESD units; and

WHEREAS, all interested persons are referred to the filed Engineer's Report for a full and detailed description of the improvements, the proposed operation and maintenance costs, the boundaries of the Assessment District and the proposed assessments upon assessable lots and parcels of land within the Assessment District for fiscal year 2020-21; and

WHEREAS, the annual assessment per ESD unit for fiscal year 2020-21 is proposed to be \$31.00 per ESD, an decrease of \$2.13 in assessment in comparison to fiscal year 2020-21

WHEREAS, this Resolution is adopted pursuant to Section 22624 of the State of California, Streets and Highways Code:

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Sebastopol hereby intends to levy and collect assessments during fiscal year 2020-21 and preliminarily approves the filing of fiscal year 2020-21 Engineer's Report with the estimate of costs to maintain said streetlight improvements and incidentals; and

BE IT FURTHER RESOLVED that a public hearing regarding this Assessment District will be held on Tuesday, June 2, 2020 after 6:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol. At the public hearing, the City Council will consider any changes to the Assessment District and authorization to levy and collect the proposed annual assessments for fiscal year 2020-21; and

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to give the Notice of Public Hearing as required by the provisions of the Landscaping and Lighting Act of 1972 for said public hearing.

ADOPTED this 21<sup>st</sup> day of April 2020.

Approved: \_\_\_\_\_  
Patrick Slayter, Mayor

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

\_\_\_\_\_  
Mary Gourley, Assistant City Manager / City Clerk, MMC

**FY 2020-21**  
**ANNUAL ENGINEER'S REPORT**  
**SEBASTOPOL LIGHTING**  
**SPECIAL ASSESSMENT DISTRICT**

**CITY OF SEBASTOPOL**  
**COUNTY OF SONOMA**  
**STATE OF CALIFORNIA**

**DRAFT**

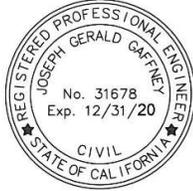
**APRIL 21, 2020**

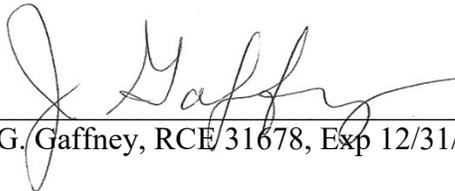
**Prepared By:**

**Joseph G. Gaffney**  
**City Engineer**

**FY 2020-21**  
**SEBASTOPOL LIGHTING SPECIAL ASSESSMENT DISTRICT**  
(Pursuant to the Landscaping and Lighting Act of 1972)

The undersigned respectfully submits, as directed by the City Council of the City of Sebastopol on March 17, 2020, the enclosed Engineer's Report on the 21st day of April, 2020.



By:   
Joseph G. Gaffney, RCE 31678, Exp 12/31/20

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment Diagram thereto attached, was filed with me on the \_\_\_ day of June, 2020.

Lawrence McLaughlin, City Manager, City of Sebastopol, Sonoma County, California

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment Diagram thereto attached, was approved and confirmed by the City Council of the City of Sebastopol California, on the \_\_\_ day of June, 2020.

Lawrence McLaughlin, City Manager, City of Sebastopol, Sonoma County, California

By: \_\_\_\_\_

I HEREBY CERTIFY that the enclosed Engineer's Report, together with the Assessment and Assessment Diagram thereto attached, was filed with the County Auditor of the County of Sonoma on the \_\_\_ day of June, 2020.

Lawrence McLaughlin, City Manager, City of Sebastopol, Sonoma County, California

By: \_\_\_\_\_

## **FY 2020-21 ANNUAL ENGINEER'S REPORT**

### **SEBASTOPOL LIGHTING SPECIAL ASSESSMENT DISTRICT**

(Pursuant to the Landscaping & Lighting Act of 1972)

#### **Annual Assessment**

Joseph G. Gaffney, City Engineer, Engineer of Work for the Sebastopol Lighting Special Assessment District, City of Sebastopol, Sonoma County, California, makes this annual Engineer's Report, as directed on March 17, 2020 by the City Council of the City of Sebastopol, pursuant to Sections 22565 and 22620 of the California Streets & Highways Code for the Sebastopol Lighting Special Assessment District for Fiscal Year 2020-21.

#### **Background**

The Sebastopol Lighting Special Assessment District was formed on May 18, 1981 by the City Council of the City of Sebastopol to cover the costs associated with the operation and maintenance of the citywide streetlight system. This action included adopting Resolution No. 3316 proposing the formation of the Assessment District pursuant to the Landscaping and Lighting Act of 1972. Subsequently, on June 29, 1981, the City Council adopted Resolution No. 3332 approving the formation of the Assessment District and authorizing the levy and collection of assessments. Assessments were levied for FY 1981-82 and FY 1982-83. From FY 1983-84 through FY 1995-96, the City Council elected not to levy and collect annual assessments. Since FY 1996-97 and through FY 2019-20, the assessments have been levied and collected on an annual basis.

Pursuant to the Landscaping and Lighting Act of 1972, an Engineer's Report must be annually prepared and filed for the Assessment District in order to levy and collect assessments on any following fiscal year. For this FY 2020-21 Engineer's Report, new cost estimates for the operation and maintenance of the citywide streetlight system have been developed. No annexations into the Assessment District are proposed for FY 2020-21. The total number of units for FY 2020-21 has decreased from 3,966.5 ESD's to 3,965.5 ESD's.

For FY 2020-21, the proposed annual assessment is \$31.00 per ESD, a reduction from the FY 2019-20 assessment of \$33.14 per ESD. The proposed total FY 2020-21 expenditure of \$122,931.00 will be funded with a combination of the annual assessments and a contribution from the General Fund.

Effects of Proposition 218 (Right to Vote on Taxes Act) - The Sebastopol Lighting Special Assessment District is exempt from the procedural requirements of Article XIID of the California Constitution by virtue of Section 5(a) within Proposition 218. Section 5(a) exempts assessments for the maintenance expenses of streets. Maintenance expenses are defined to include the cost of electrical current. In as much as lights are an integral part of the street, the cost of maintenance of the lights is exempt. Therefore, Proposition 218 procedural requirements do not affect the Sebastopol Lighting Special Assessment District.

## **FY 2020-21 Engineer's Report Format**

This FY 2020-21 Engineer's Report consists of six (6) Parts as follows:

- PART A - Plans** - This portion of the Engineer's Report describes any plans and specifications that may be needed for the installation of streetlight improvements. If plans and specifications exist, they are filed with the City Clerk. Although separately bound, the plans and specifications are part of this Engineer's Report and are included in it by reference.
- PART B - Budget Cost Estimate (Page 6)** – Budget cost estimates associated with the operations and maintenance of the described citywide streetlight improvements. In addition to an overall budget summary, a detailed FY 2020-21 Budget sheet and a FY 2020-21 Summary of Fund Balance sheet are provided.
- PART C - Assessment Roll (Page 9)** – A spreadsheet listing of FY 2020-21 assessments on each benefited parcel of land within the Assessment District. The FY 2020-21 assessment amount is the estimated cost each parcel will contribute towards the operation and maintenance of the citywide streetlight system within the Assessment District for FY 2020-21.
- PART D - Method of Apportionment of Assessment (Page 50)** - A statement of the method used by the Engineer of Work to determine the proposed amount to be assessed against each parcel within the Assessment District.
- PART E - Property Owner's List (Page 52)** - A list of the names and addresses of the owners of real property within this Assessment District, as shown on the last equalized assessment roll for taxes. The Assessor Parcel Number (A.P.N.) for each parcel keys the list to the Assessment Roll shown in Part C.
- PART F - Assessment Diagram (Page 53)** – The Assessment Diagram (map) showing all of the parcels of real property within the Assessment District. The Assessor Parcel Number (A.P.N.) for each parcel keys the property to the Assessment Roll shown in Part C. The A.P.N.'s are shown in the Assessor's Maps available at the County of Sonoma Assessor's Office.

## **PART A**

### **FY 2020-21 PLANS AND SPECIFICATIONS**

The Assessment District is proposing to operate and maintain the citywide streetlight system located in the public rights-of-way. Maintenance may include replacement of damaged facilities and other allowable items per Section 22531 of the California Streets and Highways Code for the life of the Assessment District. Since the Assessment District proposes to operate and maintain street lighting facilities (not to construct new lights), no plans and specifications are associated with FY 2020-21 Engineer's Report.

## PART B

### FY 2020-21 BUDGET COST ESTIMATE SUMMARY

Part B includes the detailed budget expenditures for FY 2020-21 for all the costs associated with the operation and maintenance of the streetlight system and a summary of the fund balance for the Assessment District. The total budget summary for FY 2020-21 for the Sebastopol Lighting Special Assessment District is as follows:

<u>As Filed With City</u>	<u>As Preliminarily Approved April 17, 2020</u>	<u>As Finally Approved At 2020 Public Hearing</u>
\$122,931.00	\$122,931.00	

The total proposed FY 2020-21 expenditure is \$130,000.00. The total estimated revenue generated from the proposed FY 2020-21 assessments is \$122,931.00. The proposed FY 2020-21 assessment to levy and collect is \$31.00 per ESD.

**SEBASTOPOL LIGHTING  
SPECIAL ASSESSMENT DISTRICT  
2020-21 Lighting Budget**

	<u>2019-20</u> <u>BUDGET</u>	<u>2019-20</u> <u>ESTIMATED</u>	<u>2020-21</u> <u>BUDGET</u>
<b><u>EXPENSES</u></b>			
<b>Utilities</b>	<b>\$102,000</b>	<b>\$102,000</b>	<b>\$98,000</b>
<b>Personnel</b>			
Administration Costs			
City of Sebastopol	\$11,100	\$11,100	\$12,550
Engineering	\$1,000	\$3,750	\$3,750
Public Works	\$15,090	\$15,090	\$15,450
Auditor	\$250	\$250	\$250
<b>TOTAL EXPENSES</b>	<b>\$129,440</b>	<b>\$129,440</b>	<b>\$130,000</b>
<b><u>REVENUES</u></b>			
Contribution from General Fund	\$0	\$0	\$0
Contribution from Reserve Fund	\$0	\$0	\$0
Total Assessments	\$131,317	<b>\$131,317</b>	<b>\$122,931</b>
<b>TOTAL REVENUES</b>	<b>\$131,417</b>	<b>\$131,317</b>	<b>\$122,931</b>
Total Equivalent Single Family Dwelling Units (ESD)	3,965.5	3,966.5	3,965.5
<b>Total Assessment per ESD</b>	<b>\$33.14</b>	<b>\$33.14</b>	<b>\$31.00</b>

**SEBASTOPOL LIGHTING  
SPECIAL ASSESSMENT DISTRICT  
2019-20 Summary of Fund Balance**

	<b>Fiscal Year <u>2020-21</u></b>
<b>Estimated Reserve Fund as of June 30, 2020</b>	<b>\$9,091</b>
<b>Estimated Revenue</b>	<b>\$122,931</b>
<b>General Fund Contribution</b>	<b>\$0</b>
<b>Total Estimated Funds Available</b>	<b>\$132,022</b>
<b>Total Estimated Expenditures</b>	<b>\$130,000</b>
<b>Estimated Reserve Fund Balance at end of Fiscal Year, June 30, 2021</b>	<b>\$2,022</b>

# City of Sebastopol

ASSESSMENT DISTRICT – ASSESSMENT ROLL  
FISCAL YEAR 2020-21



ASSESSMENT ROLL LISTING IS NOT  
INCLUDED DUE TO THE CONFIDENTIAL  
NATURE OF EACH PARCEL

## PART D

### METHOD OF APPORTIONMENT OF ASSESSMENT FOR FY 2020-21

The following is a brief description of the manner that the annual assessment has been apportioned (spread) to each parcel in the Assessment District:

The method of spread utilized equates all parcels within the City of Sebastopol Area to an Equivalent Single Family Dwelling (ESD) unit use, or portion thereof. Each and every property receives a special benefit from the street lights being maintained and energized nightly; by increased driving safety within the City limits, by increased pedestrian safety when traveling at night and by increased personal property safety from the presence of lit areas. The following basic ESD units reflect the relative benefit accruing to parcels of land within the Sebastopol Lighting Special Assessment District:

1.	Vacant parcel	½ unit
2.	Single dwelling parcel	1 unit
3.	Multiple dwelling units parcels	1 unit per dwelling
4.	Commercial parcel with no dwelling units	1 unit
5.	Commercial parcels with dwelling units per dwelling unit	1 unit + 1 unit
6.	Industrial parcel with no dwelling units	1 unit
7.	Industrial parcel with dwelling unit per dwelling unit	1 unit + 1 unit

Once the total number of ESD units is determined for the entire Assessment District, the total number of use units shall be divided into the City's street lighting maintenance budget for FY 2020-21 (see Part B). This will result in the proposed annual assessment per ESD unit for the upcoming fiscal year. The annual assessment per use unit shall be multiplied by the total ESD units established for each parcel, or portion thereof, to determine the proposed total annual assessment for each parcel within the Assessment District (see Part C).

No charges shall be imposed upon a federal, state or local government agency property that does not receive a benefit from street lights, upon a parcel without a dwelling used exclusively for greenbelt or open space, or upon the common area of any planned unit development. By virtue of the fact that this existing Lighting District is exempt from the operation of Proposition 218, Article XIID, Section 5(a), public agency property that was not assessed in previous years shall not require any action to be included in the Assessment District as long as the assessment is not increased. Future increases of assessments would be cause to assess the public properties that would be included in a re-spread of the District. In addition, whenever a railroad, gas, water, or electric utility right-of-way or electric line right-of-way is included within the assessment district, the railroad, gas, water, or electric utility right-of-way or electric line right-of-way shall be subject to charges within the assessment district only if, and to the extent that, it is found that it will benefit from the provision of street lights, and the railroad, gas, water, or electric utility right-of-way or electric line right-of-way shall be subject to the same penalties, and the same procedures and sale, in case of delinquency as other properties within the Assessment District.

In assessing vacant, commercial and industrial properties, the typical method of assessing these parcels within other assessment districts is to assess the land for its highest and best use. Because no dwelling units or industrial commercial developments exist on vacant land, it was felt that the assessment should be reduced to ½ a unit (see "Vacant Parcels" mentioned above).

**PART E**

**FY 2020-21 PROPERTY OWNER'S LIST**

The names and addresses of each of the property owners as shown on the County of Sonoma Assessor's Tax Assessment Roll have been keyed to the special assessment number (Assessor Parcel Number) as shown in Part C, FY 2020-21 Assessment Roll of this Engineer's Report.

## **PART F**

### **FY 2020-21 ASSESSMENT DIAGRAM**

Attached is the Assessment Diagram (Map) for the Assessment District. Please note that the lines and dimensions of each parcel, as well as the distinctive assessment number, are shown on the Assessor's Maps for the City of Sebastopol available at the County of Sonoma Assessor's Office.

# SEBASTOPOL

## LIGHTING SPECIAL ASSESSMENT DISTRICT

### DISTRICT BOUNDARY

————— DISTRICT BOUNDARY LINE

#### NOTE:

FOR THE DISTINCTIVE ASSESSMENT NUMBER AND DETAILED DESCRIPTION OF THE LINES AND DIMENSIONS OF EACH PARCEL REFER TO THE ASSESSOR'S PARCEL MAPS FOR THE CITY OF SEBASTOPOL, AVAILABLE AT THE COUNTY OF SONOMA, ASSESSOR'S OFFICE.

CITY OF SEBASTOPOL

SEBASTOPOL CALIFORNIA

2020-21 FISCAL YEAR

