



Item Number: 12

**City Council / Board of Directors**

**Written Communications**

**Meeting of: October 3, 2023**

**Submitted By:**

Fredy Bonilla, Acting City Engineer

**Subject:**

Initiate the Annexation of Tract No. 20280 into Drainage Facilities Assessment District No. 1 and Landscape Maintenance Assessment District No. 6

**Recommendation:**

That the Honorable City Council:

- 1) Approve Resolution No. 23-084 to initiate proceedings to annex Tract No. 20280 into Drainage Facilities Assessment District No. 1;
- 2) Approve Resolution No. 23-085 to initiate proceedings to annex Tract No. 20280 into Landscape Maintenance Assessment District No. 6;
- 3) Approve Resolution No. 23-086 to preliminarily approve the Drainage Facilities Assessment District No. 1 Engineer's Report;
- 4) Approve Resolution No. 23-087 to preliminarily approve the Landscape Maintenance Assessment District No. 6 Engineer's Report; and
- 5) Approve Resolution Nos. 23-088 and 23-089 setting a public hearing date of November 21, 2023.

**Fiscal Impact:**

There is no fiscal impact associated with the approval of resolutions listed above. Maintenance and servicing of the drainage and landscaping improvements in future years will be covered by the subsequent annual assessments levied on these and other properties within the boundaries of their assigned districts.

**Strategic Plan Goal:**

This item aligns with Goal E in the Strategic Plan, "Invest in Infrastructure" and Goal A, "Financial Sustainability." Annual assessment revenue supports the expenses for operations, maintenance, and improvement of associated landscaping, parks, and infrastructure.

**Background:**

The property owner for Tract Map No. 20280 (Tract 20280) has petitioned the City to annex the tract into the City-Wide Drainage Facilities Assessment District No. 1 (DFAD 1) and the Landscape Maintenance Assessment District No. 6 (LMAD 6) to comply with the Conditions of Approval for Tract 20280 which is located at the southeast corner of Hopland Street and Cahuenga Road. Tract 20280 is a proposed 72-lot single-family subdivision that includes drainage and landscaping improvements within the tract. This annexation will provide for the perpetual maintenance and servicing of the drainage and landscape improvements by means of a new annual assessment to each property within Tract 20280.

**Discussion:**

The City formed DFAD 1 and LMAD 6 pursuant to the Landscaping and Lighting Act of 1972, Streets and Highways Code section 22500 et seq. (the Act); the applicable provisions of Proposition 218 (Article XIID of the California Constitution, hereinafter referred to as the "California Constitution"); and Government Code section 53753, part of the Omnibus Act.

DFAD 1 and LMAD 6 allows the City to collect assessments for maintaining and servicing the drainage and landscaping improvements within these districts. Assessments are levied and collected annually according to the special benefits received by properties from the improvements provided by the City. The formation documents of DFAD 1 and LMAD 6 contain a mechanism permitting the annual assessment amount to be adjusted from time to time, commensurate with increases in the costs to maintain the drainage and landscaping improvements.

A public hearing regarding the amount of the assessments is conducted annually by the City Council. In accordance with the special benefit calculation contained in the annual Engineer's Report, the total assessments for DFAD 1 and LMAD 6 are equally distributed amongst all the parcels within the district boundaries. The current annual assessment amounts per parcel are \$221.75 for DFAD 1 and \$157.12 for LMAD 6. Both districts are adequately funded to perform all required maintenance and servicing of the proposed improvements for Tract 20280.

Sections 22605 through 22613 of the Act, as amplified by the California Constitution and Government Code section 53753, provide procedures for annexation of new territory into an existing assessment district. For Tract 20280 to become subject to the annual assessments applicable to DFAD 1 and LMAD 6, and to receive the level of perpetual maintenance provided to other properties within those assessment districts, annexation to DFAD 1 and LMAD 6 is required.

For this annexation to occur, the City Council must approve a series of eight resolutions at two City Council meetings. Resolutions Nos. 23-084 and 23-085 will initiate annexation, request the City Engineer's Reports, and file with the City Clerk for City Council consideration. The Engineer's Reports are required by the Act and include the estimated costs of the annexation, a description of the improvements, special benefits to be received

If the foregoing resolutions are approved, the Engineer's Reports would be preliminarily approved by Resolution Nos. 23-086 and 23-087, which would also declare the City Council's intent to annex Tract 20280 to DFAD 1 and LMAD 6. At this same meeting, a fifth and sixth resolution will also need to be approved by the City Council to set a public hearing of November 21, 2023 and order the mailing of the public hearing notices and assessment ballots to the property owners within Tract 20280, no less than 45 days prior to said public hearing.

Therefore, staff recommends that the City Council approve Resolution No. 23-084 to initiate proceedings to annex Tract 20275 into DFAD 1 and Resolution No. 23-085 to annex into LMAD 6, approve Resolution Nos. 23-086 and 23-087 to preliminarily approve both districts Engineer's Reports, and approve Resolution Nos. 23-088 and 23-089 setting a public hearing date of November 21, 2023.

**Attachments:**

- A. Resolution No. 23-084
- B. Resolution No. 23-085
- C. Resolution No. 23-086
- D. Resolution No. 23-087
- E. Resolution No. 23-088
- F. Resolution No. 23-089
- G. Vicinity Map
- H. Engineer's Reports
- I. Petitions from Developers