



Contra  
Costa  
County

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: June 14, 2016

Subject: HEARING to levy assessments in Countywide Landscaping District AD 1979-3 (LL-2) Fiscal Year 2016-17

### **RECOMMENDATION(S):**

1. OPEN the public hearing; RECEIVE and CONSIDER public comments and protests; CLOSE the public hearing.
2. ACCEPT the Fiscal Year 2016-17 Final Engineer's Report for Countywide Landscaping District AD 1979-3 (LL-2),
3. ADOPT Resolution No. 2016/379 confirming the diagram, assessment roll and assessments set forth in the Fiscal Year 2016-17 Final Engineer's Report for Countywide Landscaping District AD 1979-3 (LL-2), and
4. DIRECT the Auditor-Controller to place the levy of annual assessments on the tax roll for Fiscal Year 2016-17.

### **FISCAL IMPACT:**

100% Countywide Landscaping District AD 1979-3 (LL-2) funds.

### **BACKGROUND:**

The existing Countywide Landscaping District contains thirty (30) Benefit Zones. The proposed assessments for LL-2 are for the purpose of collecting assessments from the property owners within each Benefit Zone to maintain

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/14/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

#### **VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Mary N. Piepho, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: June 14, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Susan Cohen, (925)  
313-2160



## BACKGROUND: (CONT'D)

existing facilities (such as frontage/median landscaping and park and recreational facilities) within the various Benefit Zones. The improvements to be maintained are typically installed by developers in conformance with their Conditions of Approval when the subdivision was built.

The Landscaping and Lighting Act of 1972 requires that an updated Engineer's Report be prepared to set assessment rates each fiscal year. In addition, any new Benefit Zones or annexations of additional property into an existing Benefit Zone also require an Engineer's Report to be generated. The Resolution of Initiation directed the preparation of a Preliminary Engineer's Report for LL-2 and was adopted by the Board of Supervisors through Resolution No. 2016/131 on March 29, 2016. The Resolution of Intention to accept the Preliminary Engineer's Report and set the Public Hearing date was approved by the Board of Supervisors through Resolution No. 2016/327 on May 10, 2016.

Attached to this board order is a Final Engineer's Report including Descriptions and the Fiscal Year 2016-17 Budgets (Exhibit A), the Fiscal Year 2016-17 Diagrams (Exhibit B) and the Fiscal Year 2016-17 Assessment Roll (Exhibit C), which represents any changes that may have been directed by the Board of Supervisors at the Board Meeting on May 10, 2016 where the LL-2 Preliminary Engineers report was accepted. The Fiscal Year 2016-17 assessments are based on information in the Final Engineer's Report for Fiscal Year 2016-17. Assessments are calculated by considering all anticipated expenditures for maintenance, utilities and administration. Any excess dollars from previous fiscal years are carried forward and the assessment amounts are adjusted accordingly. The assessment rates may change from fiscal year to fiscal year, dependent upon improvements to be constructed and maintenance to be performed; however the assessments cannot exceed the maximum amount set when the Benefit Zone was originally formed, plus an annual cost of living adjustment, if applicable. The proposed assessments being levied for each Benefit Zone for Fiscal Year 2016-17 are either at, or below, the maximum assessment rates. The assessment amounts proposed, in accordance with the Landscaping and Lighting Act of 1972, have been presented in the Preliminary and Final Engineer's Reports filed with the Board on May 10, 2016 and June 14, 2016, respectively, and the June 14, 2016 public hearing was publicly noticed.

## CONSEQUENCE OF NEGATIVE ACTION:

Without Board of Supervisors' approval there would be no acceptance of the Final Engineer's report and the assessment of levies for the Countywide Landscape District AD 1979-3 (LL-2) for Fiscal Year 2016-17 would not be authorized on the tax roll, thus funds would not be available to maintain the landscaping and other improvements in the Benefit Zones throughout the County.

## CLERK'S ADDENDUM

***CLOSED the public hearing; ACCEPTED the Fiscal Year 2016-17 Final Engineer's Report for Countywide Landscaping District AD 1979-3 (LL-2); ADOPTED Resolution No. 2016/379 confirming the diagram, assessment roll and assessments set forth in the Fiscal Year 2016-17 Final Engineer's Report for Countywide Landscaping District AD 1979-3 (LL-2), and DIRECTED the Auditor-Controller to place the levy of annual assessments on the tax roll for Fiscal Year 2016-17***

**ATTACHMENTS**

Resolution No. 2016/379

Exhibit A

Exhibit B

Exhibit C