



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: June 8, 2021

Subject: HEARING to levy assessments in Countywide Landscaping District AD 1979-3 (LL-2) Fiscal Year 2021-22.

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**RECOMMENDATION(S):**

1. OPEN the public hearing; RECEIVE and CONSIDER public comments and protests; CLOSE the public hearing.
2. ACCEPT the Fiscal Year 2021-22 Final Engineer's Report for Countywide Landscaping District 1979-3 (LL-2),
3. ADOPT Resolution No. 2021/151 confirming the diagram, assessment roll and assessments set forth in the Fiscal Year 2021-22 Final Engineer's Report for Countywide Landscaping District 1979-3 (LL-2), and
4. DIRECT the Auditor-Controller to place the levy of annual assessments on the tax roll for Fiscal Year 2021-22.

**FISCAL IMPACT:**

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

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **06/08/2021** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Diane Burgis, 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 8, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Carl Roner (925)  
313-2213

## BACKGROUND:

The existing Countywide Landscaping District 1979-3 (LL-2) contains thirty (30) Benefit Zones comprised of landscaping, pedestrian bridges, irrigation, park and recreational facilities and ancillary improvements installed by developers as a condition of their development. The annual assessment levies within these Benefit Zones will fund the operation, maintenance, and capital replacement of the facilities within each respective Benefit Zone.

On March 30, 2021, the Board of Supervisors adopted the Resolution ordering the preparation and filing of an Engineer's Report regarding improvements to be funded by proposed assessments (Resolution No. 2021/88) which directed the Engineer of Work to prepare the Fiscal Year 2021-22 Preliminary Engineer's Report for the Countywide Landscaping District 1979-3 (LL-2). The Landscaping and Lighting Act of 1972 requires that an Engineer's Report be prepared each fiscal year to identify any changes in the improvements and assessments and to set the ensuing year's special assessment rates.

On May 11, 2021 the Board of Supervisors approved the Preliminary Engineer's Report and opted the Resolution of Intention (Resolution No. 2021/126) which;

- a. Declared the Board's intention to levy and collect assessments within Countywide Landscaping District 1979-3 (LL-2) for FY 2021-22;
- b. Generally described the improvements within Countywide Landscaping District 1979-3 (LL-2) for FY 2021-22;
- c. Referred to the assessment district by its distinctive name and indicated the general location of the district;
- d. Referred to the Engineer's Report, on file with the Clerk of the Board, for a full and detailed description of the improvements, the boundaries of the assessment district and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the district.
- e. Gave notice of the time, date and the place for hearing regarding the levy of the proposed assessments; and
- f. Stated the zones where the proposed assessments are to be increased from the previous year.

Attached to this board order is a Final Engineer's Report, including Descriptions and the Fiscal Year 2021-22 Budgets (Exhibit A), the Fiscal Year 2021-22 Diagrams (Exhibit B), and the Fiscal Year 2021-22 Assessment Roll (Exhibit C), which represents any changes that may have been directed by the Board of Supervisors at the Board Meeting on May 11, 2021, where the LL-2 Preliminary Engineers report was accepted. The Fiscal Year 2021-22 assessments are based on information in the Final Engineer's Report for Fiscal Year 2021-22. 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 the Fiscal Year 2021-22 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 11, 2021, and June 8, 2021, respectively. The June 8, 2021 public hearing for the Final Engineer's Report has been 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 Landscaping District 1979-3 (LL-2) for Fiscal Year 2021-22 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 Countywide Landscaping District 1979-3 (LL-2).

#### ATTACHMENTS

Resolution No. 2021/151

C.C.C Consolidated Report for the Countywide Landscaping District (LL-2)

C.C.C. Assessment Diagrams for the LL-2 Landscape Zones

C.C.C. Countywide Landscaping District Final Assessment Roll fiscal Year 2021-2022