



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: May 10, 2022

Subject: Engineer's Report and Resolution of Intention for Countywide Landscaping District 1979-3 (LL-2 for Fiscal Year 2022/23).

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

1. APPROVE the attached engineer's report for Assessment District 1979-3 (LL-2) for Fiscal Year 2022/23.
2. ADOPT Resolution No. 2022/133, declaring the Board's intention to levy and collect assessments in Assessment District 1979-3 (LL-2) in Fiscal Year 2022/23 and fixing a public hearing on the levy of the proposed assessments for June 7, 2022, at 9:00 a.m. in the Board Chambers at 1025 Escobar Street, Martinez, California.
3. DIRECT the Clerk of the Board of Supervisors to give notice of the June 7, 2022, public hearing on the levy of the proposed assessments by publishing Resolution No. 2022/133 in accordance with sections 22626, subdivision (a), 22552 and 22553 of the Streets and Highways Code.

### **FISCAL IMPACT:**

Costs associated with the levy of assessments will be funded with Assessment District 1979-3 (LL-2) revenues.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/10/2022** ☒ 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: May 10, 2022

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

By: June McHuen, Deputy

Contact: Carl Roner (925) 313-2213



## BACKGROUND:

Assessment District 1979-3 (LL-2), also known as the Countywide Landscaping District (“District”), is made up of 32 zones in all five supervisorial districts. Within the zones, landscaping, irrigation systems, park and recreational facilities and other improvements have been constructed or installed, many by developers as conditions of approval. Annual assessments are levied each year on parcels in these zones under the Landscaping and Lighting Act of 1972 (Sts. & Hy. Code, div. 15, pt. 2, § 22500 et seq.) (the “Act”), to fund the maintenance and servicing of these facilities and, as the need arises, the installation or construction of new or replacement facilities.

On March 29, 2022, the Board of Supervisors adopted Resolution No. 2022/87, which ordered the preparation and filing of an engineer’s report for District assessments to be levied in Fiscal Year 2022/23. The report has been filed and is attached. As indicated in the report, no new improvements, and no significant changes in existing improvements in the District are proposed. Costs of existing improvements are projected to increase due to inflation. In zones where assessments are at their authorized maximums, and cannot be increased without additional assessment ballot proceedings, cost increases may lead to reductions in maintenance services.

As the Engineer’s Report also indicates, no increases in assessments are proposed in Fiscal Year 2022/23. Assessments in Zones 1, 2, 3, 4, 7, 10, 11, 17, 18, 19, 21, 22, 27, 36, 37, 38, 42, 45, 48, 57, 61, 63, 64, and 68 cannot be adjusted without future assessment ballot proceedings. Proposed adjustments of assessments in Zones 5, 35, 54, 69, 70, 71, 74, and 75, where assessments are either below maximum authorized amounts or may be changed in accordance with changes in the applicable Consumer Price Index, were approved when parcel owners voted to approve the assessments in prior years, and are thus not considered to be increases that would trigger the need for additional assessment ballot proceedings.

The Board may approve the engineer’s report as filed or modify the engineer’s report and approve it as modified. Under the applicable annual assessment levy procedure set forth in the Act, after approval of the engineer’s report, the Board must adopt a resolution of intention. (Sts. & Hy. Code, § 22624.) Resolution No. 2022/133 attached hereto is the resolution of intention described in the Act. Along with declaring the intention of the Board to levy and collect assessments within the District for Fiscal Year 2022/23, and basic information about the assessment district, Resolution No. 2022/133 sets a public hearing before the Board regarding the proposed levy for June 7, 2022, at 9:00 a.m. in the Board Chambers at 1025 Escobar Street, Martinez, California.

## CONSEQUENCE OF NEGATIVE ACTION:

If the Board does not approve the engineer’s report, either as filed or modified, or does not approve the resolution of intention, annual assessments cannot be levied to pay the costs of District improvements in Fiscal Year 2022/23.

## ATTACHMENTS

Resolution No. 2022/133

C.C.C. Consolidated Report for the Assessment District 1979-3 (LL-2) Fiscal Year 2022-23

Appendix B, Assessment Diagrams for the LL-2 Landscape Zones

Appendix C, Countywide Landscaping District Fiscal Year 2022-23 Assessment Roll