



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: March 21, 2023

Subject: Adopt Resolution ordering the preparation and filing of an engineer's report for Assessment District 1979-3 (LL-2) for Fiscal Year 2023/24.

RECOMMENDATION(S):

ADOPT Resolution No. 2023/76, ordering the preparation and filing of an engineer's report regarding the proposed levy of assessments to fund improvements in Assessment District 1979-3 (LL-2) in Fiscal Year 2023/24, as recommended by the Public Works Director, Countywide. (All Districts).

FISCAL IMPACT:

The cost of preparing the report will be funded with Assessment District 1979-3 (LL-2) revenues.

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 to fund the maintenance and servicing of these facilities and, as the need arises, the installation or construction of new or

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/21/2023** ☒ 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

Ken Carlson, 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: March 21, 2023

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

Contact: Carl Roner
(925)313-2213

By: Stacey M. Boyd, Deputy

replacement facilities.

The Landscaping and Lighting Act of 1972 (Streets and Highways Code, div. 15, pt. 2, § 22500 et seq.) (the “Act”) requires an engineer’s report to be prepared for each fiscal year during which an assessment will be levied and collected within an existing assessment district. Along with descriptions and estimated costs of improvements, the engineer’s report must contain proposed assessments for assessable lands in each zone. Under the Act,

BACKGROUND: (CONT'D)

the legislative body must adopt a resolution to order preparation of the engineer's report. The resolution must also describe any proposed new improvements or any substantial changes in existing improvements. No new improvements or substantial changes in existing improvements are planned within any of the zones in the District in Fiscal Year 2023/24.

Proposed assessments to be levied on parcels in each zone are calculated based on anticipated costs of the improvements in the zone that are identified in the engineer's report and the special benefits conferred on the parcels to be assessed. Any surpluses or deficits from the previous fiscal year in a zone are credited or debited, as the case may be, against the next fiscal year's assessment for that zone. Proposed assessment rates for Fiscal Year 2023/24 are not expected to exceed previously approved maximum amounts, some of which include adjustments based on changes in the applicable Consumer Price Index for the San Francisco Bay Area. A proposed assessment rate in a zone that would exceed the previously approved rate would require approval by parcel owners in an assessment ballot proceeding.

Under the Act, after an engineer's report is prepared, it is filed and presented to the Board for consideration, usually in May. If the Board approves the report, either as filed or modified, a noticed public hearing is held on the proposed levy of assessments, usually in June.

CONSEQUENCE OF NEGATIVE ACTION:

An engineer's report would not be prepared and annual assessments could not be levied to fund the costs of the improvements in the District in Fiscal Year 2023/24.

ATTACHMENTS

Resolution No. 2023/76