

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: June 3, 2024

Reviewed by: NA

Subject: Initiating Proceedings, Approval of Annual Reports, and Intention to Levy and Collect Assessments in Assessment District No. 1988-1 for Fiscal Year 2024/25, and Setting a Public Hearing for June 17, 2024

Report By: Mark Hurley, Public Works Director/City Engineer
Devora Zauderer, Public Works Program Manager

SUMMARY

Council action is required to initiate preparation of the annual levy and submission of the Fiscal Year 2024/25 tax rolls to Alameda County for Landscaping and Lighting Assessment District 1988-1. Also, a public hearing must be set on the proposed assessment. The annual report concerning the levy and collection of assessments within the assessment district has been prepared by the City's financial consultant NBS and will be filed with the City Clerk.

STAFF RECOMMENDATION

That the Council:

1. Adopt Resolution No. 2024-39, Initiating Proceedings for the Levy and Collection of assessments for the Landscaping and Lighting Assessment District 1988-1 for Fiscal Year 2024/25.
2. Adopt Resolution No. 2024-40, Approving the Annual Report for the Landscaping and Lighting Assessment District No. 1988-1 for Fiscal Year 2024/25.
3. Adopt Resolution No. 2024-41, A Resolution of Intention to Levy and Collect Assessments for the Landscaping and Lighting Assessment District No. 1988-1 for Fiscal Year 2024/25. Pursuant to the Landscaping & Lighting Act of 1972, set a public hearing for June 17, 2024 on the proposed assessment.

BACKGROUND

The City formed Landscaping and Lighting Assessment District 1988-1 (LLAD 1988-1) pursuant to the provisions of the Landscaping and Lighting Act of 1972 - Section 22500 et. Seq. of the Streets and Highways Code. LLAD 1988-1 was initially formed to provide for

the maintenance of park and recreational facilities. The scope of services of the District were later expanded to include street lighting on Solano Avenue, maintenance of medians on Buchanan Street, Marin Avenue. and San Pablo Avenue and payment of Bonds for the Community Center and a Maintenance Center.

Beginning in 2010, a two-year budget for the Landscape and Lighting Assessment District was adopted for planning purposes and in order to coincide with the City's biennial budget process. The Landscaping and Lighting Act of 1972, however, requires that a report on the scope of the proposed improvements, the estimated cost of the program, and the amount of the assessments be prepared and approved by the Council and a public hearing conducted in each year that an assessment is proposed to be levied.

Following receipt of the report the Council may adopt a resolution of intention which: (1) preliminarily approves the report of the Engineer, as submitted or as modified; (2) declares the intention of the Council to levy and collect assessments within the existing District for the next fiscal year; (3) sets the time and place for a public hearing on the proposed assessments for the fiscal year; and (4) directs the City Clerk to provide notice of the proposed hearing by publishing the resolution in the newspaper at least 10 days prior to the hearing.

DISCUSSION

The Streets and Highways Code requires that the City Council order the filing of an annual report for the district.

The Public Works Director will oversee the completion of this work. It is necessary for the City Council to order that these reports be prepared at this time in order to provide sufficient time to schedule and hold the required public hearing for the levy and to meet the early August deadline for submitting the final tax rolls to Alameda County.

The attached Resolution No. 2024-39 initiates proceedings for the levy and collection of assessments for the Landscaping and Lighting Assessment District. The attached Resolution No. 2024-40 approves the annual reports for the Landscaping and Lighting Assessment District. The attached Resolution No. 2024-41 sets June 17, 2024 as the date when the City Council will conduct a public hearing on the proposed work program and assessment for FY 2024/25.

LLAD 1988-1 provides funding for the installation, maintenance and servicing of park, ball fields and recreational facilities throughout the City including maintenance contracts, City maintenance staff, and supplies and materials. It also supports the City's street tree and street landscapes maintenance programs.

In the report, single-family detached residences are assessed the same amount. The proposed FY 2024/25 assessment for a detached single-family residential parcel (SFR) is \$75.54. Assessments for other parcels of land are based on the estimated special benefits received compared to a detached SFR parcel as determined by the Engineer. The method of assessment is essentially the same as that which was approved by the Council upon formation of the

District in 1988, and as subsequently amended by the Council. Annual assessments in LLAD 1988-1 have not been increased since FY 1993-94.

FINANCIAL CONSIDERATIONS

Adoption of the Resolutions will enable the Council to conduct the required public hearing on the approval of the assessments. If the Resolutions setting the hearing are not approved, the City will not be able to levy the assessments within the District and the City budget would have to be adjusted to reflect the loss of assessment revenue for the next fiscal year. If assessments are to be collected in Fiscal Year 2024/25, a hearing on the proposed levy must be conducted, assessments approved, and a report must be filed with the County Auditor in the required form not later than August 1, 2024. If assessments are not collected, services and/or projects proposed to be funded by the assessment district would have to be reduced or eliminated, or additional funding sources identified or reallocated from support of other programs/projects.

Attachments:

1. Resolution No. 2024-39
2. Resolution No. 2024-40
3. Resolution No. 2024-41
4. Engineer's Report LLAD 1988-1, FY 2024/25