



STAFF REPORT
1/26/2022

TO: Honorable Mayor and City Council Members

FROM: Maritza Martinez, Public Works Director

SUBJECT: Initiating the Formation of Landscaping and Lighting Maintenance District No.39 (Sevilla–Tract 38084) (“LLMD 39”), Declaring Intention to Form, Levy and Collect Assessments Commencing in Fiscal Year 2022/2023, preliminary approval of Engineer’s Report and Setting Time and Place for Public Hearing to Conduct Property Owner Protest Ballot Proceedings

STAFF RECOMMENDATION:

Adopt Resolution No. 2022-06 Initiating Proceedings for the Formation of the Landscaping and Lighting Maintenance District No. 39 (Sevilla-Tract 38084); and Directing the Preparation and Filing of an Engineer’s Report

Adopt Resolution No. 2022-07 Declaring the City’s Intention to form the Landscaping and Lighting Maintenance District No. 39 (Sevilla-Tract 38084); to Levy and Collect Annual Assessments related thereto Commencing Fiscal Year 2022/2023, Accepting and Approving the Engineer’s Report and Assessment Diagram; to Conduct a Property Owner Protest Ballot Proceeding on the Matter of the New Assessments; and Setting a Time and Place for the Public Hearing

BACKGROUND:

The Landscaping and Lighting Act of 1972, beginning with Section 22500 of the California Streets and Highways Code, authorizes the City Council to establish a special district to pay for the costs to operate and maintain public improvements that benefit private properties. New developments are required to form the special districts in order to pay for the public improvements.

The first step in the formation process is initiating proceedings and directing preparation and filing of an Engineer’s Report. The next step is to declare the City’s intention to form the special district, to levy and collect assessments, approving the Engineer’s Report and Assessment Diagram, and declare public hearing to conduct Property Owner Protest Ballot Proceedings. The final step of the formation process is to hold a public hearing to count the ballots, declare the results of the balloting, approve the final Engineer’s Report, and to authorizes the levy and collection of assessments if no majority protest exists.

Pulte Group (“Developer”) requested the formation of LLMD 39 as a requirement for the conditions of development, for Pulte Sevilla – Avenue 51 (Tract Map No. 38084). The new development will consist of 107 residential properties and 2 retention basins with associated private streets, utilities, landscaping and lighting. The Tract will be generally located east of Van Buren Street, west of Frederick Boulevard, north of Avenue 51 and generally south of Avenue 50. The proposed LLMD 39 will be formed as a funding mechanism to fund the ongoing operation and maintenance for improvements within the Tract.

An Engineer’s Report has been prepared, a copy of which is submitted to the City Council for review. A copy of the Engineer’s Report is also made available to the Public for review in the City’s Public Works Department.

It is purposed to schedule the public hearing and conduct the Property Owner Protest Ballot Proceedings at the regular City Council Meeting on March 23, 2022.

FISCAL IMPACT:

There is no fiscal impact to the City as a result of this formation. The proposed assessments have been prepared based upon the maintenance costs necessary and required to maintain the common areas with the District.

Attachments:

Engineer’s Report LLMD 39

Resolution No. 2022-06

Resolution No. 2022-07