



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 98-1 (Sinclair Horizon)
Category:	Consent Calendar-Community Development
Meeting Date:	3/1/2022
Staff Contact:	Steve Erickson 408-586-3301
Recommendation:	Adopt a Resolution Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 98-1 (Sinclair Horizon).

Background:

On June 16, 1998, the City Council completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, establishing the Landscaping and Lighting Maintenance Assessment District No. 98-1 (Sinclair Horizon) (LLMD 98-1) to provide for improvement and maintenance of public landscaping, irrigation, and pedestrian walking path adjacent to Sinclair Frontage Road and Los Coches Creek abutting the Sinclair Horizon residential subdivision as shown in the attached location map (**Attachment 1**).

Analysis:

The Landscaping and Lighting Act of 1972 requires adoption (**Attachment 2**) of a resolution directing preparation of the annual engineer's report evaluating LLMD 98-1 maintenance and improvement costs and generally describing any proposed new improvements or any substantial changes in existing improvements. At subsequent meetings, the City Council will be asked to approve the completed engineer's report and to schedule a public hearing for the proposed assessment in May and June 2022. Upon City Council approval, the assessment for the maintenance and improvement work will be added to the 2022-23 property tax bills of property owners within the boundaries of LLMD 98-1.

Policy Alternatives:

Alternative 1:

Not adopt a resolution initiating proceeding for the annual levy and collection of assessments and ordering the preparation of the annual engineer's report for LLMD 98-1.

Pros: None

Cons: The Landscaping and Lighting Act of 1972 requires the legislative body adopt the resolution, not adopting the resolution would jeopardize the City's ability to collect assessments for the maintenance and upkeep of LLMD 98-1.

Reason not recommended: To allow for the continued maintenance for LLMD 98-1, staff recommends ordering the preparation of the annual engineers' report to begin the proceedings for the levy and collection of assessments for fiscal year 2022/23. **FiscallImpact:**

The levy and collection of assessments provides a funding resource for the City to improve and maintain public landscaping, irrigation, and pedestrian walking path within LLMD 98-1.

California Environmental Quality Act:

Levy and collection of assessment is not considered a project under CEQA as there will be no direct or reasonably foreseeable indirect physical change in the environment.

Recommendation:

Adopt a resolution initiating the proceedings for the annual levy and collection of assessments and ordering the preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 98-1 (Sinclair Horizon).

Attachments:

1. Location Map
2. Resolution