



Date: September 13, 2022

Honorable Mayor and Council Members:

Author: Jessica Thompson, Senior Engineer

Title: West River Landscaping and Lighting Assessment District No. 1 Resolution 2022-55 and 2022-56

Approved By: _____ Jen Callaway, Town Manager

Recommended Action: Council to:

1. Adopt Resolution 2022-55 Initiating Proceedings for the West River Landscaping and Lighting Assessment District No. 1;
2. Adopt Resolution 2022-56, a Resolution of Intention to Order Formation and to Levy and Collect Assessments within the West River Landscaping and Lighting Assessment District No. 1; and
3. Provide direction for the Town's vote for the parcel located at 10257 West River Street.

Discussion: The proposed West River Landscaping and Lighting Assessment District No. 1 encompasses multiple projects that construct sidewalks, landscaping, lighting, crosswalks, parking, medians, and underground utilities. The projects that make up the infrastructure improvements of the assessment district include Legacy Trail-Brockway Road Multi-Use Trail (completed summer 2021), West River Streetscape, West River Park, and Reimagine Bridge Street. The projects will improve pedestrian safety, provide continuous pedestrian facilities, underground utilities, reconfigure parking, and improve overall street appearance.

The West River Landscaping and Lighting Assessment District No. 1 is proposed to be formed to fund the routine maintenance of the new improvements, including sidewalk snow removal and sweeping; maintenance of the proposed landscaping and irrigation, repair and replacement of sidewalks and driveway aprons, trash collection, streetlight maintenance and repair, utility fees for irrigation and streetlights, and utility license fees, further detailed below:

- **Routine Maintenance of Sidewalks, Landscaping, and Utilities (\$2.607/SF per year) –** Generating approximately \$90,300 per year of funds for the services at buildout.
 - **Sidewalk Maintenance:**-Includes snow removal once a day during storm events (approximately 25 times per year) without the use of de-icing agents and sweeping to remove sediment and debris and trash removal at least twice a year. This also includes snow removal across driveways to clear a path for sidewalk continuation and snow off-hauling during heavy winter storm events. Sidewalk maintenance also includes trash pickup; garbage can and parking kiosk snow removal; streetlight utility costs; repair and maintenance of street lighting; and repairing or replacing damaged areas or infrastructure such as bike racks, benches, pavers, or driveway aprons as needed.
 - **Landscaping Maintenance:**-Includes weeding, water service, irrigation and backflow maintenance, and plant replacement.
 - **Utilities:**- Utilities will be undergrounded along West River Street (within a Union Pacific Railroad property easement), requiring license agreements. The annual fee for each utility is included in the maintenance district costs.
 - **District Administration/Reserves**-\$5,000 per year for the district administration, and

\$5,000 per year to put toward a reserve for insurance deductibles.

The Town of Truckee West River Street Landscaping and Lighting Assessment District No. 1 requires the Town Council to adopt a Resolution Initiating Proceedings (Resolution 2022-55, **Attachment A**) to authorize initiating proceedings for the formation of the district. This resolution also directs the assessment engineer to prepare the Final Engineer's Report outlining the proposed assessments (**Exhibit B of Attachment B**). All areas/items to be maintained by the proposed district will be located in or adjacent to the property described in the attached Engineer's Report. The proposed West River Landscaping and Lighting District No. 1 is in compliance with Section 22585 of the Streets and Highways Code of the State of California pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California.

The West River Landscaping and Lighting Assessment District No. 1 also requires that a Resolution of Intention (Resolution 2022-56, **Attachment B**) to levy assessment be adopted prior to the public hearing on the establishment of the assessments for improvements within Fiscal Year 2023/24, pursuant to Section 54954.6 of the Government Code and Section 22587 of Article 1, Part 2 of Division 15 of the Streets and Highways Code of the State of California. The Engineer's Report (**Exhibit B of Attachment B**) has detailed information on the assessments and is on file at the Town of Truckee and includes the boundaries for West River Street Landscaping and Lighting District No.1. The attached Resolution of Intention sets the public hearing to occur on November 8, 2022.

Historically, the Town has formed various maintenance districts as a condition of proceeding with constructing the improvements (Brickelltown and Envision DPR, for example). The Town funds the construction of the improvements provided that the property owners that directly benefit from the improvements fund the maintenance. Property owners' votes are weighted based upon their individual proposed parcel assessment (\$1 assessment equals 1 vote). If the vote passes, the Town proceeds with the planned construction. If the vote does not pass, the project is not constructed, and the project construction funds are made available for Council to reallocate to another project.

In order for the Landscape and Lighting District to pass, it must receive fifty percent (50%) plus one vote in the affirmative. The West River Landscape and Lighting Assessment District area maintenance is estimated to cost approximately \$90,300 annually. Of this amount, the Town will fund approximately 18% or \$16,393 as a general benefit, which includes areas that do not necessarily have a direct adjacent property owner such as the bridge across the Truckee River and portions of railroad property. The Town cannot cast a vote for the general benefit areas. The remaining areas (representing \$73,907 of the cost) would be eligible to vote (see Exhibit E of the Engineer's Report, **Exhibit B of Attachment B**, for maximum assessment amounts by parcel). The Town owns the property at 10257 West River Street (Old County Corp Yard), for which the maximum parcel assessment for this property is \$30,639. The Town is eligible to cast a vote for this property and the Town's property assessment is a large percentage (41%) of the remaining assessment areas. Should the Town cast a vote, it would have a significant impact on whether the district is formed. Therefore, staff is requesting that Council provide direction on if the Town should cast a vote or allow the remaining property owners to decide if the maintenance of the district is worth the new improvements.

The Engineer's Report includes a column for each property of the maximum parcel assessment. This is the amount that would be assessed at build out of all the portions of the improvements (including West River Streetscape, Reimagine Bridge Street, and West River Park), which is included in the FY 2023/24 Assessment (see Exhibit E of the Engineer's Report, provided as **Exhibit B of Attachment B**). The West River Street project is estimated to be bid in November and awarded in January 2023. However, due to continued COVID impacts, including staffing and material shortages, the West River Streetscape project may take two years to complete. Staff plans to return to Council in May 2023 with final FY 2023/24 assessment amounts based on the schedule for construction and completion. Staff is recommending proceeding with formation of the assessment district at this time, so the district is approved (or not approved) prior to awarding a construction bid. Consistent with all the other assessment districts, if the ongoing maintenance is not approved, then it is recommended that the improvements are not

constructed.

The proposed maintenance assessment district schedule is below:

- September 13, 2022 – Council approves the Resolution Initiating Proceedings and the Resolution of Intention.
- September 14, 2022-Town Clerk mails notice and ballots to property owners of record.
- November 8, 2022 –Clerk tabulates ballots at a public hearing conducted at a regularly scheduled Town Council meeting and (if the maintenance assessment district passes) Council approves Resolution of Formation.
- November 9, 2022- Clerk files with County the Notice of Assessment (if the maintenance assessment district passes).
- May 23, 2023 - Amend the Engineer's Report to update the assessments for FY 23/24.

Priority:

<input type="checkbox"/> Enhanced Communication	<input checked="" type="checkbox"/> Climate and Greenhouse Gas Reduction	<input type="checkbox"/> Housing
<input checked="" type="checkbox"/> Infrastructure Investment	<input type="checkbox"/> Emergency and Wildfire Preparedness	<input checked="" type="checkbox"/> Core Service

Fiscal Impact: The Town's current plan is to invest a large amount of public funding (est. \$25,000,000) to construct multiple projects along or adjacent to the West River Street and Bridge Street Corridor. These projects include West River Streetscape, West River Park, Reimagine Bridge Street, Legacy Trail-Brockway Road Multi-Use Trail (completed 2021) and the Truckee River Bridge at Mill Street. The implementation of these projects is estimated to increase the Town's maintenance expenses by an estimated \$90,300 per year. If the Landscape and Lighting District passes, the private property owners will fund \$43,268 per year in maintenance (at build out). The Town funds the remainder (\$47,032) in the form of the general benefit and property assessment described previously. Should the assessment district fail, the Town would not have a revenue stream to fund the maintenance.

Public Communication: Town staff met with property owners within the West River Landscape and Lighting District between late 2018 and 2022 to describe potential frontage improvements and to make property owners aware of staff's recommendation to create a maintenance district for the improvements. Staff has held 4 public workshops on this project as well as met with individual property owners numerous times in person and virtually.

Attachments:

Attachment A: Resolution Initiating Proceedings for the West River Landscaping and Lighting Assessment District No. 1 (2022 - 55)

Attachment B: Resolution of Intention to Order Formation and to Levy and Collect Assessments within the West River Landscaping and Lighting Assessment District No. 1 (2022-56)

Engineer's Report for West River Landscaping and Lighting Assessment District No. 1 (included as Exhibit B with Resolution 2022-56)