

CITY OF SEBASTOPOL CITY COUNCIL  
AGENDA ITEM REPORT FOR MEETING OF: April 16, 2024

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**To:** Honorable Mayor and City Councilmembers  
**From:** Ana Kwong – Administrative Services Director  
**Subject:** FY2024-25 Street Lighting Assessment District

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**RECOMMENDATION:**

The item is to request City Council Consider Approve and Adopt the Resolution Approving the appointment of NBS in preparation of the annual FY 2024-25 Lighting Assessment District in accordance with provisions of the Landscaping and Lighting Act 1972 (henceforth “the Act”) of the California Streets and Highways Code.

**EXECUTIVE SUMMARY:**

Tonight’s item is requesting the City of Sebastopol City Council adopt resolution appointing the Engineer of Work, directing the preparation of the annual Engineer’s Report and describing the potential changes to the City of Sebastopol’s Fiscal Year 2024-25 Lighting Assessment District in accordance with provisions of the Landscaping and Lighting Act of 1972.

**BACKGROUND:**

The City of Sebastopol utilizes a Lighting Special Assessment District (Assessment District) in accordance with the provisions of the Act to fund the operation and maintenance of the Citywide street light system. The boundaries of the Assessment District basically follow the City limit boundaries. The funding sources for the Assessment District costs are the assessment levies placed on the parcels within the Assessment District. The parcels are assessed through a required annual process that begins by tonight’s City Council action. In order to levy and collect the annual assessments, the City is required by Section 22622 of the Act to first adopt a resolution appointing the Engineer of Work, directing the preparation of the annual Engineer’s Report and describing the potential changes to the Assessment District for the upcoming fiscal year.

**ANALYSIS:**

This firm NBS will develop the Engineer’s Reports for these upcoming proceedings and has the experience and expertise necessary to perform the work required. The action requested tonight is to authorize staff to begin this required annual process. The effect of adopting this resolution is to instruct the Engineer of Work to analyze and compute the assessments that would be levied in FY 2024-25 if the City Council approves the Engineer’s Report at a future meeting by adopting the Resolution of Intention. The Council can make changes to the Engineer’s Report up to and including the Public Hearing planned for June 4, 2024. The action plan/procedure for FY 2024-25 levy of annual assessments for the City’s Assessment District is as follows:

- The City Council adopts the attached Resolution tonight (April 16, 2024) appointing the Engineer of Work, directing the preparation of the Engineer’s Report and describing any potential changes to the Assessment District. This action initiates the annual process.
  
- The City Council, at a meeting planned for May 21, 2024, adopts a Resolution preliminarily approving the Engineer’s Report and a Resolution of Intention to levy and collect assessments for FY 2024-25. The City Council can preliminarily approve the Engineer’s Report as filed, or modify it and preliminarily approve it as modified.

- The City Council holds a Public Hearing planned for June 4, 2024, and upon its conclusion, may adopt a Resolution confirming the assessments (either as preliminarily approved at its May 21, 2024 meeting or as modified by the City Council at the conclusion of the Public Hearing). The adoption of the resolution shall constitute authorization to levy and collect assessments for FY 2024-25.

The above annual action plan/procedure is required by the Act .

**COMMUNITY OUTREACH:**

This item has been noticed in accordance with the Ralph M. Brown Act and was available for public viewing and review at least 72 hours prior to schedule meeting date.

**FISCAL IMPACT:**

Should the Council approve the item this evening, the cost for NBS to manage the entire process is estimated at \$8,500, which will be included in the LAD budget.

**OPTIONS:**

Staff did not consider options as this annual proceeding is required by the provisions of the Landscaping and Lighting Act 1972 (henceforth “the Act”) of the California Streets and Highways Code.

**ATTACHMENTS:**

Resolution

APPROVALS:

Department Head Approval:	Approval Date: 4/8/24
CEQA Determination (Planning):	Approval Date: 4/8/24

The proposed action is not a project under the California Environmental Quality Act (CEQA)

Administrative Services (Financial)	Approval Date: <u>4/8/24</u>
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Costs authorized in City Approved Budget:  Yes  No  N/A

Account Code (f applicable) 215-00-00-4210

City Attorney Approval:	Approval Date: 4/9/24
City Manager Approval:	Approval Date: 4/9/24

RESOLUTION NO. XXXX-2024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL APPOINTING THE ENGINEER OF WORK AND DIRECTING THE PREPARATION AND FILING OF THE ENGINEER’S REPORT AND DESCRIBING THE POTENTIAL CHANGES TO THE CITY OF SEBASTOPOL’S FISCAL YEAR 2024-25 LIGHTING SPECIAL ASSESSMENT DISTRICT (PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972)

WHEREAS, pursuant to Section 22622 of the Streets and Highways Code, the City Council must annually appoint the Engineer of Work and direct the preparation and filing of the annual Engineer’s Report in order to levy and collect assessments for any following fiscal year: and

WHEREAS, NBS, has the expertise and experience in the proceedings of the Landscaping and Lighting Act of 1972; and

WHEREAS, there may be potential changes to FY 2024-25 Assessment District as a result of parcels which may be subdivided and/or changes in parcel classifications since last year’s levying of assessments.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Sebastopol hereby appoints NBS as the Engineer of Work for the City of Sebastopol's Fiscal Year 2024-25 Lighting Special Assessment District and is hereby directed to prepare and file the annual Engineer’s Report, including any changes, pursuant to Section 22622 of the California Streets and Highway Code.

PASSED AND ADOPTED, by the CITY COUNCIL of THE CITY OF SEBASTOPOL, COUNTY OF SONOMA, of STATE OF CALIFORNIA on this 16<sup>th</sup> day of April 2024.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by the City of Sebastopol City Council by the following vote:

**VOTE:**

Ayes:

Noes:

Absent:

Abstain:

APPROVE: Mayor Diana Rich

ATTEST: Mary Gourley, Assistant City Manager/City Clerk, MMC

.APPROVED AS TO FORM: Larry McLaughlin, City Attorney