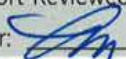


Agenda Report Reviewed by:
City Manager: 

CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM

Meeting Date: March 7, 2023
To: Honorable Mayor and City Councilmembers
From: Ana Kwong – Administrative Services Director
Subject: FY 2023-24 Street Lighting Assessment District
Recommendation 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 2023-24 Lighting Assessment District in accordance with provisions of the Landscaping and Lighting Act of 1972.

Funding: Currently Budgeted: Yes No N/A
Net General Fund Cost:
If Cost to Other Fund(s),
Fund:

Account Code/Costs authorized in City Approved Budget AK (verified by Administrative Services Department)

INTRODUCTION:

This item is to request that the City Council Approve and Adopt the Resolution Approving the appointment of NBS in preparation of the annual FY 2023-24 Lighting Assessment District in accordance with provisions of the Landscaping and Lighting Act 1972 (henceforth “the Act”) of the California Streets and Highways Code.

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.

DISCUSSION:

Staff recommends appointing NBS as the Engineer of Work. This firm will continue to develop the Engineer’s Reports for these 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 2023-24 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 6, 2023. The action plan/procedure for FY 2023-24 levy of annual assessments for the City’s Assessment District is as follows:

- The City Council adopts the attached Resolution on March 7, 2023 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 16, 2023, adopts a Resolution preliminarily approving the Engineer’s Report and a Resolution of Intention to levy and collect assessments for FY 2023-24. 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 6, 2023, and upon its conclusion, may adopt a Resolution confirming the assessments (either as preliminarily approved at its May 16, 2023 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 2023-24.

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

GOALS:

1.1 Develop and Implement Sound Financial Management Policies and Procedures

Goal Economic Vitality (EV) 7: Maintain a Stable and Self-Sustaining Fiscal Base in Order to Generate the Resources Necessary to Provide Desired City Services and Support New Growth that is Consistent with the City’s Values and Goals.

PUBLIC COMMENT:

As of the writing of this staff report, the City has not received any public comment. However, if staff receives public comment from interested parties following the publication and distribution of this staff report, such comments will be provided to the City Council as supplemental materials before or at the meeting. In addition, public comments may be offered during the public comment portion of this item.

PUBLIC NOTICE:

This item was 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:

There is no fiscal impact with adoption of this resolution tonight

RECOMMENDATION:

That the City Council Approve and Adopt the Resolution Approving 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 2023-24 Lighting Assessment District in accordance with provisions of the Act.

Attachment(s):

Resolution

RESOLUTION NO. XXXX-2023

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 2023-24 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 2023-24 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 2023-24 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 7th day of March 2023.

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 Neysa Hinton

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

APPROVED AS TO FORM: Larry McLaughlin, City Attorney