



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: April 19, 2023

To: Honorable Mayor and City Council Members

From: Charles E. McNeely, Interim City Manager
By: Barbara Whitehorn, Agency Director of Administrative Services; Daniel Hernandez, Agency Director of Public Works, Operations, and Maintenance

Department: Finance

Subject: **Updating Assessment Engineer's Reports –
Previously Formed Landscape and Lighting
Maintenance Districts (All Wards)**

Recommendation:

It is recommended that the Mayor and City Council adopt Resolution No. 2023-055, initiating proceedings to levy and collect assessments for FY 2023/24 in Assessment Districts pursuant to the Constitution and the City Charter, appointing the Engineer of Record, and ordering preparation of Engineer's Report.

Background

The City Council previously formed Landscape & Lighting and Street & Drainage Maintenance Districts as a condition of approval for private development projects. The assessment engineer's report that establishes the amount of an annual assessment in each of the Districts must be updated annually and approved by the City Council, following a public hearing, in order to levy the annual assessment(s).

Discussion

Development projects are approved subject to Conditions of Approval that require the formation of maintenance districts to recover the costs of annual maintenance of public improvements constructed as a result of the development project.

The assessment of an annual fee upon properties within the District provides the revenue to offset the cost of maintenance of the public improvements necessary to serve the development.

California Streets and Highways Code §22620 et. seq. with respect to Landscape and Lighting Districts, and Government Code §53750 et. seq. with respect to Street and Drainage Maintenance Districts, require that the assessment engineer's report for each

of the Districts be updated and approved by the legislative body prior to the levy of any annual assessment on properties within an assessment district.

The tentative schedule for the annual update of the assessment districts which is prepared based on information provided by the San Bernardino County Auditor-Controller-Recorders office is as follows:

- April 19, 2023: Mayor and City Council direction for the preparation of an assessment engineer's report describing any new improvements or any substantial changes in the existing improvements in the existing assessment districts.
- May 17, 2023: Mayor and City Council (1) preliminarily approving the engineering reports for the existing assessment districts and directing the filing of such reports with the City Clerk, and (2) setting the date for the public hearing at 7:00 PM on Wednesday, July 19, 2023, in the City of San Bernardino Council Chamber, 555 W 6th Street, San Bernardino, CA 92410 pursuant to California Streets and Highways Code Sections 22552 and 22553 and Government Code Section 53753.5 to consider the levy of annual assessments upon real property.
- July 5, 2023: Deadline for submission of preliminary notice of assessments to San Bernardino County.
- July 19, 2023: Mayor and City Council public hearing and approval of the levy of assessments upon real property within each of the Districts for fiscal year 2023-24.
- August 1, 2023: Deadline for submission of final notice of assessments to San Bernardino County.
- August 10, 2023: Last day for submission of corrections to San Bernardino County.

The City has formed sixty-nine (69) such assessment districts.

2021-2025 Strategic Targets and Goals

This project is consistent with Goal No 1. Improved Operational and Financial Stability and Goal No. 4 Economic Growth & Development. This project will help to ensure that the City is clean and attractive and provide infrastructure designed for long term economic growth.

Fiscal Impact

The assessment on properties within the assessment districts provides revenue to offset the cost of maintenance of public improvement to serve the development project. The engineering reports set forth the "Maximum Allowable Assessment" for each parcel.

Conclusion

It is recommended that the Mayor and City Council adopt Resolution No. 2023-055, initiating proceedings to levy and collect assessments for FY 2023/24 in Assessment Districts pursuant to the Constitution and the City Charter, appointing the Engineer of Record, and ordering preparation of Engineer's Report.

Attachments

Attachment 1 – Resolution No. 2023-055

Ward:

All Wards

Synopsis of Previous Council Actions:

None