

**REPORT TO MAYOR AND COUNCIL**

**TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: June 1, 2009

**SUBJECT: PUBLIC HEARING TO CONSIDER CONFIRMING THE ASSESSMENT DIAGRAMS AND LEVYING THE ANNUAL ASSESSMENTS FOR THE DOWNTOWN LANDSCAPE MAINTENANCE DISTRICT, THE PINE HOLLOW ESTATES LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT, LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT No. 3, AND THE CITYWIDE STREET LIGHTING ASSESSMENT DISTRICT, FOR FISCAL YEAR 2009/2010**

**Report in Brief**

With this public hearing, the City Council will continue the process required by the Landscaping and Lighting Act of 1972, and Proposition 218 to reconfirm for FY 2009/10 the four Landscape and Lighting Maintenance Districts administered by the City. Staff recommends that the City Council receive testimony from interested persons regarding the confirmation of assessment districts and the levy of assessments for FY 2009/10, and that the City Council:

1. Adopt Resolution No. 09-45 (Attachment 1) confirming the assessment diagram and levy of assessments for the Downtown Landscape Maintenance District for Fiscal Year 2009/2010.
2. Adopt Resolution No. 09-46 (Attachment 2) confirming the assessment diagram and levy of assessments for the Pine Hollow Estates Landscape and Lighting Maintenance District for Fiscal Year 2009/2010.
3. Adopt Resolution No. 09-47 (Attachment 3) confirming the assessment diagram and levy of assessments for the Landscaping and Lighting Maintenance District No. 3 for Fiscal Year 2009/2010.
4. Adopt Resolution No. 09-48 (Attachment 4) confirming the assessment diagram and levy of assessments for the Citywide Street Lighting Assessment District for Fiscal Year 2009/2010.

**Background**

On February 23, 2009, City Council adopted resolutions ordering the preparation of the Engineer's Reports for the levy of annual assessments for the Downtown Landscape Maintenance District, the Pine Hollow Estates Landscape Maintenance District, Landscaping and Lighting Maintenance District No. 3, and

**PUBLIC HEARING TO CONSIDER CONFIRMING THE ASSESSMENT DIAGRAMS  
AND LEVYING THE ANNUAL ASSESSMENTS FOR CONCORD'S LANDSCAPING  
AND LIGHTING MAINTENANCE DISTRICTS FOR FISCAL YEAR 2009/2010**

June 1, 2009

Page 2

the Citywide Street Lighting Assessment District. The Engineer's Report is prepared by a registered engineer and contains five parts:

- Plans and Specifications for the intended assessment district improvements.
- A cost estimate of the improvements.
- An assessment diagram of the area to be assessed.
- Assessment amounts based on the level of benefit received from the improvement by each parcel.
- An assessment role listing the parcels to be assessed.

The purpose of the Engineer's Report is to provide a public document that delineates the improvements expected to be installed or maintained by the assessment district, describes the methods used by the Engineer of Work to determine the level of benefit of each parcel in the district, and provides proposed assessment amounts for each parcel.

**Discussion**

These districts are not subject to the Proposition 218 balloting requirements unless the assessments projected by the Assessment District Engineer are to increase. In that case, only the increase in assessment is subject to Proposition 218 balloting requirements. The Assessment District Engineer has determined that it is not necessary to increase the assessments for FY 2009/10.

The Assessment District Engineering Services firm of Francisco & Associates has prepared the reports and filed them with the City Clerk. The reports contain detailed descriptions of the improvements, the properties to be assessed, and the proposed assessments on each parcel within each district. In accordance with the Landscaping and Lighting Act of 1972, the City Council accepted the reports on April 13, 2009; however, approval is not final until after the Council conducts a public hearing.

The Resolutions of Intention that were adopted on April 13, 2009 set the required public hearing for June 1, 2009, at 6:30 p.m. in the Council Chambers at 1950 Parkside Drive. Notices for all districts were published in accordance with the provisions of the Landscaping and Lighting Act of 1972.

After the close of the public testimony portion of the public hearing, Council may make changes to the proposed assessments as long as the assessments are not increased. Upon adoption of the attached resolutions, the districts are reconfirmed for FY 2009/10 and the assessment amounts are posted to the County tax rolls. These assessments will appear as a separate item on the property tax bill for each parcel.

The first three districts listed below provide landscape or lighting maintenance services to those designated areas of Concord. The last district listed is the Citywide district to maintain the City's street light system:

- Downtown Landscape Maintenance District
- Pine Hollow Estates Landscape and Lighting Maintenance District
- Landscaping & Lighting Maintenance District No. 3 (includes Kirkwood, Ygnacio Woods, Balhan Terrace, and Valley Terrace subdivisions)
- Citywide Street Lighting Assessment District

**PUBLIC HEARING TO CONSIDER CONFIRMING THE ASSESSMENT DIAGRAMS  
AND LEVYING THE ANNUAL ASSESSMENTS FOR CONCORD'S LANDSCAPING  
AND LIGHTING MAINTENANCE DISTRICTS FOR FISCAL YEAR 2009/2010**

June 1, 2009

Page 3

Separate 10-Year Plans were developed for the Citywide Street Lighting, Downtown, and Pine Hollow Districts. The Kirkwood, Ygnacio Woods, Balhan Terrace, and Valley Terrace Districts were combined into a single 10-Year Plan since the City Council consolidated the small districts in 1979 into a single district known as Landscaping and Lighting Maintenance District No. 3. To accurately track the operation and maintenance costs for each of the benefit zones in District No. 3, individual 10-Year Plans were also developed. The same revenue and appropriation assumptions were used in each of the district's 10-Year Plans as those developed for the City's enterprise funds. The individual ten year plans are discussed below with each district.

**Downtown Landscape Maintenance District:**

The Downtown Landscape Maintenance District was created on November 14, 1983, for the purpose of maintenance of landscaping in the downtown area. The District was ratified by the property owners and reconfirmed through a Proposition 218 election in 1997. The total assessment is based on each parcel's square footage, street frontage, and respective benefit zone. The improvements within this district are generally described as the maintenance and servicing thereof of landscaping in street medians, public plazas, parking lots, and other public places, including street trees in public right-of-ways. The Estimate of Cost, including revenue and expenses, from the District Engineer's Report is attached (Attachment 9).

The Downtown Maintenance District provides all landscape services for the Central Concord area, including Todos Santos Plaza and median islands on Willow Pass Road (between East Street and Contra Costa Boulevard), Concord Avenue and Market Street. City employees provide all maintenance services charged to the District.

A successful Proposition 218 election was conducted in FY 2006/07 to increase the annual assessments beginning in FY 2007/08. This election also included an automatic inflation factor to ensure the long term solvency of the District. Prior to the election the District was projected to incur a negative fund balance in FY 2009/10. Increased assessments now generate over \$100,000 in additional revenue. The District is still supported by General Fund monies for City provided administrative support and general services. Attachment No. 5 is the new 10-Year Plan for the Downtown District which now shows a balanced plan throughout the 10 years.

**Pine Hollow Estates Landscape Maintenance District:**

The Pine Hollow Estates Landscape Maintenance District includes only the Pine Hollow subdivisions. This District provides all landscape services for the area bordering Pine Hollow Road east of Ygnacio Valley Road. All of the landscape services charged to the Pine Hollow District are provided through a maintenance contract managed by the Public Works Department. The estimated cost of landscape maintenance for FY 2009/10 is \$20,559. The Estimate of Cost, including revenue and expenses, from the District Engineer's Report is attached (Attachment 10).

The attached 10-Year Plan (Attachment 6) shows that the District is balanced through FY 2018/19. Establishing a multi-year contract and prudent contract management has improved the District's financial

**PUBLIC HEARING TO CONSIDER CONFIRMING THE ASSESSMENT DIAGRAMS  
AND LEVYING THE ANNUAL ASSESSMENTS FOR CONCORD'S LANDSCAPING  
AND LIGHTING MAINTENANCE DISTRICTS FOR FISCAL YEAR 2009/2010**

June 1, 2009

Page 4

outlook over last year's. Based on the District's 10-Year Plan, there are no plans for a Proposition 218 balloting for Pine Hollow property owners in the immediate future.

**Landscaping and Lighting District No. 3:**

The Landscaping and Lighting District No. 3 is comprised of four different subdivisions: Kirkwood, Ygnacio Woods, Balhan Terrace, and Valley Terrace located in the Clayton Valley area of the City. With the exception of Ygnacio Woods, landscape services charged to District No. 3 are provided through a contract managed by the Public Works Department. City employees provide landscape services for Ygnacio Woods. All of the 10-Year Plans for District No. 3 are balanced through FY 2018/19; the combined 10-Year Plan for District No. 3 is attached (Attachment 7).

Although the Kirkwood Benefit Zone is balanced throughout the 10 years, staff will continue to monitor the District's expenditures. A capital replacement reserve budget appropriation of \$3,000 annually was added to the District budget beginning in FY 2007/08. Once firmly established this reserve will allow planning for upgrading and replacement of older technology sprinkler systems, landscape features, or other capital items approaching their useful life. Currently landscaping in Kirkwood is provided by a private contractor and managed by the Public Works Department. The estimated cost of landscape maintenance for FY 2009/10 is \$19,890.

This will be the fifth year of automatic CPI inflation increases for the Ygnacio Woods assessments following the successful Proposition 218 election in FY 2004/05. Landscaping services are provided by part time City staff. Ygnacio Woods landscaping maintenance cost for FY 2009/10 is estimated at \$7,908.

Balhan Terrace and Valley Terrace are assessed only for the cost of street lighting within these subdivisions and continue to require zero assessments due to State tax augmentation funds. These funds are sufficient to maintain the districts. State tax augmentation funds are rebates from the State to offset the effects of Proposition 13 on Landscaping and Lighting Districts in existence prior to 1978. The Estimate of Cost, including revenue and expenses, from the District Engineer's Report for each subdivision is attached (Attachments 11, 12, 13, and 14).

**Citywide Street Lighting District:**

The Concord Citywide Street Lighting Assessment District was formed in FY 1988/89 for the purpose of funding the installation and maintenance or servicing of public lighting facilities in public places within the district. The district includes all parcels of land within the incorporated limits of the City of Concord that benefit from street lights on public streets. The total assessment will be divided among the parcels of land in proportion to the estimated benefits to be received by that parcel.

Improvements within this district generally consist of the installation, maintenance, and servicing of public lighting facilities in public places within the district. Public lighting facilities consist of pole mounted street lights within the public right-of-way and public parking areas of the City of Concord. Lighting facilities are intended to provide safety, security, and convenience of occupants, pedestrians, and travelers. The

**PUBLIC HEARING TO CONSIDER CONFIRMING THE ASSESSMENT DIAGRAMS  
AND LEVYING THE ANNUAL ASSESSMENTS FOR CONCORD'S LANDSCAPING  
AND LIGHTING MAINTENANCE DISTRICTS FOR FISCAL YEAR 2009/2010**

June 1, 2009

Page 5

Citywide Street Lighting Assessment District provides street lighting services including electrical costs, street light repair and replacement, capital improvements, and Assessment District proceedings.

This is the fourth year of City ownership and maintenance of the streetlight system. The initial purchase from PG&E required a loan from the Traffic Management Fund of \$477,000. The District will pay the loan back over a six year period commencing in FY 2011/12. The current assessment for the district is \$25.00 per Equivalent Dwelling Unit (EDU). The FY 2009/10 assessment will also be \$25.00 per EDU. With new development and the creation of additional parcels there is a slight increase estimated in revenues for FY 2009/10. The Estimate of Cost, including revenue and expenses, from the District Engineer's Report is attached (Attachment 15).

The streetlight system is currently being maintained by City staff in the Public Works Department. The District supports the cost of a Public Works Traffic Signal Technician to perform maintenance on the system. Outages reported to the street light hotline are repaired within 48 hours. Beginning last year outages may also be reported online through the City's web page. Quarterly night surveys and repairs are performed every 3 months along the major arterials in order to achieve the highest level of service. All maintenance and personnel costs are included in the 10-Year Financial Plan (Attachment 8). The 10-Year Financial Plan remains balanced throughout the planning period

**District Assessments:**

With the exception of the automatic inflation increases in the Downtown Landscape Maintenance District and the Ygnacio Woods Benefit Zone of District No. 3 the assessment rates in all districts remain unchanged for FY 2009/10. The assessed amounts pay for the following assessment district costs: landscape maintenance, water, electricity, City staff time, non-scheduled repairs, contingency, and assessment district administration expenses.

<i>Downtown Landscape Maintenance District</i>				
	<i>2008/2009 Assessment</i>	<i>2009/2010 Proposed</i>	<i>Range Per Parcel</i>	<i>Comments</i>
Downtown	\$316,188	\$318,543	\$1 - \$10,739	Inflationary Increase

<i>Pine Hollow Estates Landscape Maintenance District</i>				
	<i>2008/2009 Assessment</i>	<i>2009/2010 Proposed</i>	<i>Range Per Parcel</i>	<i>Comments</i>
Pine Hollow	\$61,677	\$61,677	\$70 - \$254	No change

**PUBLIC HEARING TO CONSIDER CONFIRMING THE ASSESSMENT DIAGRAMS  
AND LEVYING THE ANNUAL ASSESSMENTS FOR CONCORD'S LANDSCAPING  
AND LIGHTING MAINTENANCE DISTRICTS FOR FISCAL YEAR 2009/2010**

June 1, 2009

Page 6

<i>Landscaping &amp; Lighting Maintenance District No. 3</i>				
	<i>2008/2009 Assessment</i>	<i>2009/2010 Proposed</i>	<i>Assessment Per Parcel</i>	<i>Comments</i>
Kirkwood	\$19,020	\$19,020	\$40.64	No change
Ygnacio Woods	\$8,046	\$8,092	\$231.20	Inflationary Increase
Balhan	\$0	\$0	\$0	No change
Valley Terrace	\$0	\$0	\$0	No change

<i>Citywide Street Lighting Assessment District</i>				
	<i>2008/2009 Assessment</i>	<i>2009/2010 Proposed</i>	<i>Range Per Parcel</i>	<i>Comments</i>
Citywide Street Lighting	\$1,050,853	\$1,051,339	\$12.50 - \$500	No change

**Fiscal Impact**

Landscape District budgets are separate from the City's General Fund. Assessments collected finance the maintenance of the districts. The Public Works Department's cost for labor and materials associated with the Ygnacio Woods Benefit Zone, the Downtown Maintenance District, and the Citywide Street Lighting Assessment District are charged to the individual district budgets.

**Public Contact**

All property owners in the Downtown Landscape Maintenance District were invited to attend a meeting held on March 12, 2009 to review the proposed budget and identify any other areas of concern. No property owners attended the meeting.

On March 19, 2009, staff held separate meetings with the property owners of the Pine Hollow Landscape Maintenance District and the Landscaping and Lighting Maintenance District No. 3 to identify any areas of concern and to discuss preliminary budget proposals. All property owners in the individual districts were invited to attend and participate in these community meetings. Those attending the individual district meetings brought some general questions as well as a few specific concerns relative to the maintenance of each district to the attention of staff. In subsequent correspondence sent to property owners the Public Works Department has responded to these concerns (Attachment 16).

**Recommendation for Action**

Staff recommends that the City Council receive testimony from interested persons regarding the confirmation of assessment districts and the levy of assessments for FY 2009/10, and that the City Council:

1. Adopt Resolution No. 09-45 confirming the assessment diagram and levy of assessments for the Downtown Landscape Maintenance District for Fiscal Year 2009/2010.

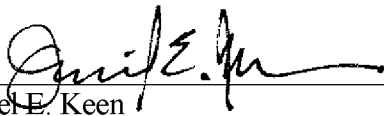
**PUBLIC HEARING TO CONSIDER CONFIRMING THE ASSESSMENT DIAGRAMS  
AND LEVYING THE ANNUAL ASSESSMENTS FOR CONCORD'S LANDSCAPING  
AND LIGHTING MAINTENANCE DISTRICTS FOR FISCAL YEAR 2009/2010**

June 1, 2009

Page 7

2. Adopt Resolution No. 09-46 confirming the assessment diagram and levy of assessments for the Pine Hollow Estates Landscape and Lighting Maintenance District for Fiscal Year 2009/2010.
3. Adopt Resolution No. 09-47 confirming the assessment diagram and levy of assessments for the Landscaping and Lighting Maintenance District No. 3 Fiscal Year 2009/2010.
4. Adopt Resolution No. 09-48 confirming the assessment diagram and levy of assessments for the Citywide Street Lighting Assessment District for Fiscal Year 2009/2010.

Prepared by: Mary Miller  
Administrative Analyst  
[Mary.Miller@ci.concord.ca.us](mailto:Mary.Miller@ci.concord.ca.us)



Daniel E. Keen  
City Manager  
[Dan.Keen@ci.concord.ca.us](mailto:Dan.Keen@ci.concord.ca.us)

Reviewed by: Qamar Z. Khan  
Director of Public Works  
[Qamar.Khan@ci.concord.ca.us](mailto:Qamar.Khan@ci.concord.ca.us)

- Enclosures:
- |                |   |
|----------------|---|
| Attachment 1.  | Resolution No. 09-45  |
| Attachment 2.  | Resolution No. 09-46  |
| Attachment 3.  | Resolution No. 09-47  |
| Attachment 4.  | Resolution No. 09-48  |
| Attachment 5.  | Downtown Landscape Maintenance District 10-Year Plan            |
| Attachment 6.  | Pine Hollow Estates Landscape Maintenance District 10-Year Plan |
| Attachment 7.  | Landscaping and Lighting District No. 3 10-Year Plan            |
| Attachment 8.  | Citywide Street Lighting District 10-Year Plan                  |
| Attachment 9.  | Downtown Estimate of Cost                                       |
| Attachment 10. | Pine Hollow Estimate of Cost                                    |
| Attachment 11. | Kirkwood Estimate of Cost                                       |
| Attachment 12. | Ygnacio Woods Estimate of Cost                                  |
| Attachment 13. | Balhan Estimate of Cost   |
| Attachment 14. | Valley Terrace Estimate of Cost                                 |
| Attachment 15. | Citywide Street Lighting Estimate of Cost                       |
| Attachment 16. | Letters to Property Owners                                      |

1                                   **BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD**  
2                                   **COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

3 **A Resolution Confirming the Assessment Diagram and**  
4 **Levy of Assessments for Maintenance within the**  
5 **Downtown Landscape Maintenance District for**  
6 **Fiscal Year 2009/2010**

Resolution No. 09-45

7                   **WHEREAS**, the City Council, by Resolution No. 84-73, established the Downtown  
8 Landscape Maintenance District pursuant to the provisions of the Streets and Highways Code Section  
9 22500, et seq. of the Landscape and Lighting Act of 1972; and

10                   **WHEREAS**, the City Council, at its regular meeting on February 23, 2009, adopted  
11 Resolution No. 09-4, ordering the preparation of an Engineer’s report for the Downtown Landscape  
12 Maintenance District; and

13                   **WHEREAS**, the City Council, at its regular meeting on April 13, 2009, adopted Resolution  
14 No. 09-20 accepting said Engineer’s Report; and

15                   **WHEREAS**, the City Council, at its regular meeting on April 13, 2009, also adopted  
16 Resolution No. 09-24 setting forth the Council’s intention to levy and collect assessments, and set a  
17 public hearing to be held on June 1, 2009, for receiving public testimony, confirming the Assessment  
18 Diagram, and levying assessments; and

19                   **WHEREAS**, the City Council, at its public hearing on June 1, 2009, received public testimony  
20 and upon conclusion of the public hearings, the Council considered all oral statements and written  
21 protests made or filed by any interested person.

22                   **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES**  
23 **RESOLVE AS FOLLOWS:**

24                   **Section 1.** Confirms the assessments for the Downtown Landscape Maintenance District as  
25 identified in the Engineer’s Report and Assessment Diagram of the area to be assessed and levies the  
26 assessment for the 2009/2010 fiscal year.

27                   **Section 2.** Directs the City Clerk to assist the Engineer of Work, who will file a certified copy  
28 of the Diagram and the Assessments with the Contra Costa County Auditor, pursuant to the Streets  
and Highways Code Section 22641, et seq.



**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution Confirming the Assessment Diagram and  
Levy of Assessments for Maintenance within the Pine  
Hollow Estates Landscape and Lighting Maintenance  
District for Fiscal Year 2009/2010**

Resolution No. 09-46

**WHEREAS**, the City Council, by Resolution No. 86-89, established the Pine Hollow Estates Landscape and Lighting Maintenance District, pursuant to the provisions of the Streets and Highways Code Section 22500, et seq. of the Landscape and Lighting Act of 1972; and

**WHEREAS**, the City Council, at its regular meeting on February 23, 2009, adopted Resolution No. 09-5, ordering the preparation of an Engineer’s report for the Pine Hollow Estates Landscape and Lighting Maintenance District; and

**WHEREAS**, the City Council, at its regular meeting on April 13, 2009, adopted Resolution No. 09-21, accepting said Engineer’s Report; and

**WHEREAS**, the City Council, at its regular meeting on April 13, 2009, also adopted Resolution No. 09-25, setting forth the Council’s intention to levy and collect assessments and set a public hearing to be held on June 1, 2009, for receiving public testimony, confirming the Assessment Diagram, and levying assessments; and

**WHEREAS**, the City Council, at its public hearing on June 1, 2009, received public testimony, and upon conclusion of the public hearings, the Council considered all oral statements and written protests made or filed by any interested person.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES  
RESOLVE AS FOLLOWS:**

**Section 1.** Confirms the assessments for the Pine Hollow Estates Landscape and Lighting Maintenance District as identified in the Engineer’s Report and Assessment Diagram of the area to be assessed and levies the assessment for the 2009/2010 fiscal year.

**Section 2.** Directs the City Clerk to assist the Engineer of Work, who will file a certified copy of the Diagram and the Assessments with the Contra Costa County Auditor, pursuant to the Streets and Highways Code Section 22641, et seq.



1                                   **BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD**  
2                                   **COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

3   **A Resolution Confirming the Assessment Diagram and**  
4   **Levy of Assessments for Maintenance within the**  
5   **Landscaping and Lighting Maintenance District #3 for**  
6   **Fiscal Year 2009/2010**

Resolution No. 09-47

6           **WHEREAS**, the City Council, by Resolution 79-6202, established Landscaping and Lighting  
7 Maintenance District #3 pursuant to the provisions of the Streets and Highways Code Section 22500,  
8 et seq. of the Landscape and Lighting Act of 1972; and

9           **WHEREAS**, the City Council, at its regular meeting on February 23, 2009, adopted  
10 Resolution No. 09-6, ordering the preparation of an Engineer’s report for the Landscaping and  
11 Lighting Maintenance District #3; and

12           **WHEREAS**, the City Council, at its regular meeting on April 13, 2009, adopted Resolution  
13 No. 09-22, accepting said Engineer’s Report; and

14           **WHEREAS**, the City Council, at its regular meeting on April 13, 2009, also adopted  
15 Resolution No. 09-26, setting forth the Council’s intention to levy and collect assessments and set a  
16 public hearing to be held on June 1, 2009, for receiving public testimony, confirming the Assessment  
17 Diagram, and levying assessments; and

18           **WHEREAS**, the City Council, at its public hearing on June 1, 2009, received public  
19 testimony, and upon conclusion of the public hearings, the Council considered all oral statements and  
20 written protests made or filed by any interested person.

21           **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES**  
22 **RESOLVE AS FOLLOWS:**

23           **Section 1.** Confirms the assessments for the Landscaping and Lighting Maintenance District  
24 #3 as identified in the Engineer’s Report and Assessment Diagram of the area to be assessed and  
25 levies the assessment for the 2009/2010 fiscal year.

26           **Section 2.** Directs the City Clerk to assist the Engineer of Work, who will file a certified copy  
27 of the Diagram and the Assessments with the Contra Costa County Auditor, pursuant to the Streets  
28 and Highways Code Section 22641, et seq.



1                                   **BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD**  
2                                   **COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

3 **A Resolution Confirming the Assessment Diagram**  
4 **and Levy of Assessments for Maintenance within the**  
5 **Citywide Street Lighting Assessment District for**  
6 **Fiscal Year 2009/2010**

Resolution No. 09-48

6                   **WHEREAS**, the City Council, by Resolution No. 88-46, established the Citywide Street  
7 Lighting Assessment District pursuant to the provisions of the Streets and Highways Code Section  
8 22500, et seq. of the Landscape and Lighting Act of 1972; and

9                   **WHEREAS**, the City Council, at its regular meeting on February 23, 2009, adopted  
10 Resolution No. 09-7, ordering the preparation of an Engineer’s report for the Citywide Street Lighting  
11 Assessment District; and

12                   **WHEREAS**, the City Council, at its regular meeting on April 13, 2009, adopted Resolution  
13 No. 09-23 accepting said Engineer’s Report; and

14                   **WHEREAS**, the City Council, at its regular meeting on April 13, 2009, also adopted  
15 Resolution No. 09-27, setting forth the Council’s intention to levy and collect assessments and set a  
16 public hearing to be held on June 1, 2009, for receiving public testimony, confirming the Assessment  
17 Diagram, and levying assessments; and

18                   **WHEREAS**, the City Council, at its public hearing on June 1, 2009, received public  
19 testimony, and upon conclusion of the public hearings, the Council considered all oral statements and  
20 written protests made or filed by any interested person.

21                   **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES**  
22 **RESOLVE AS FOLLOWS:**

23                   **Section 1.** Confirms the assessments for the Citywide Street Lighting Assessment District as  
24 identified in the Engineer’s Report and Assessment Diagram of the area to be assessed and levies the  
25 assessment for the 2009/2010 fiscal year.

26                   **Section 2.** Directs the City Clerk to assist the Engineer of Work, who will file a certified copy  
27 of the Diagram and the Assessments with the Contra Costa County Auditor, pursuant to the Streets  
28 and Highways Code Section 22641, et seq.



**City of Concord  
Special Revenue Fund  
Downtown Landscape Maintenance District  
Ten Year Projection  
For the Year Ending June 30, 2010**

	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>
Fund Balance 7/01	\$ 502,131	\$ 514,796	\$ 524,359	\$ 536,836	\$ 552,164	\$ 570,497	\$ 592,106	\$ 617,380	\$ 643,565	\$ 670,734
<b>Revenue</b>										
Taxes	\$ 318,546	\$ 328,102	\$ 337,945	\$ 348,084	\$ 358,526	\$ 369,282	\$ 380,361	\$ 391,771	\$ 403,525	\$ 415,630
Other Revenues	209,495	215,780	222,254	228,921	235,789	242,863	250,149	257,654	265,385	273,348
Use of Money & Property	10,069	12,829	15,683	18,730	22,013	25,583	29,500	30,755	32,056	33,407
Total Revenue	\$ 538,110	\$ 556,711	\$ 575,882	\$ 595,735	\$ 616,328	\$ 637,728	\$ 660,010	\$ 680,180	\$ 700,966	\$ 722,385
<b>Expenditures</b>										
Landscape Maintenance	\$ 243,127	\$ 256,432	\$ 264,043	\$ 272,140	\$ 280,557	\$ 289,239	\$ 298,132	\$ 307,376	\$ 316,911	\$ 326,680
Gas & Electricity	6,556	6,753	6,956	7,165	7,380	7,601	7,829	8,064	8,306	8,555
Water & Miscellaneous	34,654	35,694	36,765	37,868	39,004	40,174	41,379	42,620	43,899	45,216
City Provided Admin. & General Services	209,495	215,780	222,253	228,921	235,789	242,863	250,149	257,653	265,383	273,344
Assessment Engineering	6,630	6,763	6,898	7,036	7,177	7,321	7,467	7,616	7,768	7,923
County Collection Fees	743	758	773	788	804	820	836	853	870	887
Postage & Mailing	541	557	574	591	609	627	646	665	685	706
Consultant/Contract Services	5,150	5,305	5,464	5,628	5,797	5,971	6,150	6,335	6,525	6,721
Other Fixed Charges	18,549	19,106	19,679	20,270	20,878	21,503	22,148	22,813	23,450	24,154
Total Expenditures	\$ 525,445	\$ 547,148	\$ 563,405	\$ 580,407	\$ 597,995	\$ 616,119	\$ 634,736	\$ 653,995	\$ 673,797	\$ 694,186
Revenue Over (Under) Expenditures	\$ 12,665	\$ 9,563	\$ 12,477	\$ 15,328	\$ 18,333	\$ 21,609	\$ 25,274	\$ 26,185	\$ 27,169	\$ 28,199
Contingency Reserve	\$ 32,000	\$ 33,000	\$ 34,000	\$ 35,000	\$ 36,000	\$ 37,000	\$ 38,000	\$ 40,000	\$ 41,000	\$ 42,000
Fund Balance 6/30	\$ 482,796	\$ 491,359	\$ 502,836	\$ 517,164	\$ 534,497	\$ 555,106	\$ 579,380	\$ 603,565	\$ 629,734	\$ 656,933

**Notes:**

Meets all standards contained in the Budget and Fiscal Policies adopted by Council. This statement can be found on page 36.

Other revenues provided by General Fund Support.

**Expenditures**

Salaries and benefits have been budgeted per current labor agreements adjusted for step increases and assuming a full staffing level.

Employee benefits expenses for medical insurance and retirement reflect recent higher than CPI increases and post retirement health includes amortization of OPEB accrued liability over 30-Year term.

Non-labor operating expenditures for FY 2010 and the remainder of the 10-Year planning period, depending on the category, include increases between 2% and 3% for inflation.

Includes internal service fund charges for information technology and workers' compensation.

Contingency Reserve is a 10% of total appropriations before Departmental Overheads and City Provided Admin. & General Services.

**City of Concord  
Special Revenue Fund  
Pine Hollow Landscape Maintenance District  
Ten Year Projections  
For the Year Ending June 30, 2010**

	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>
Fund Balance 7/01	\$ 245,465	\$ 238,900	\$ 232,606	\$ 226,559	\$ 220,735	\$ 215,115	\$ 209,677	\$ 204,401	\$ 197,533	\$ 188,952
<b>Revenue</b>										
Taxes	\$ 61,677	\$ 61,677	\$ 61,677	\$ 61,677	\$ 61,677	\$ 61,677	\$ 61,677	\$ 61,677	\$ 61,677	\$ 61,677
Use of Money & Property	6,796	8,504	10,223	11,956	13,706	15,474	17,263	17,339	17,335	17,243
Total Revenue	\$ 68,473	\$ 70,181	\$ 71,900	\$ 73,633	\$ 75,383	\$ 77,151	\$ 78,940	\$ 79,016	\$ 79,012	\$ 78,920
<b>Expenditures</b>										
Landscape Contract	\$ 20,559	\$ 20,970	\$ 21,389	\$ 21,817	\$ 22,253	\$ 22,698	\$ 23,152	\$ 23,615	\$ 24,087	\$ 24,569
Landscape Extra Work	10,200	10,404	10,612	10,824	11,040	11,261	11,486	11,716	11,950	12,189
Contract Administration	1,381	1,409	1,437	1,466	1,495	1,525	1,556	1,587	1,619	1,651
Gas & Electricity	954	983	1,012	1,042	1,073	1,105	1,138	1,172	1,207	1,243
Capital Replacement Reserve	15,270	15,270	15,270	15,270	15,270	15,270	15,270	15,270	15,270	15,270
Water & Miscellaneous	22,737	23,419	24,122	24,846	25,591	26,359	27,150	27,965	28,804	29,668
Assessment Engineering	3,060	3,121	3,183	3,247	3,312	3,378	3,446	3,515	3,585	3,657
Printing, Publishing & Mailing	453	467	481	495	510	525	541	557	574	591
County Collection Fees	424	432	441	450	459	468	477	487	497	507
Total Expenditures	\$ 75,038	\$ 76,475	\$ 77,947	\$ 79,457	\$ 81,003	\$ 82,589	\$ 84,216	\$ 85,884	\$ 87,593	\$ 89,345
Revenue Over (Under) Expenditures	\$ (6,565)	\$ (6,294)	\$ (6,047)	\$ (5,824)	\$ (5,620)	\$ (5,438)	\$ (5,276)	\$ (6,868)	\$ (8,581)	\$ (10,425)
Contingency Reserve	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 9,000	\$ 9,000	\$ 9,000
Fund Balance 6/30	\$ 230,900	\$ 224,606	\$ 218,559	\$ 212,735	\$ 207,115	\$ 201,677	\$ 196,401	\$ 188,533	\$ 179,952	\$ 169,527

**Notes:**

Meets all standards contained in the Budget and Fiscal Policies adopted by Council. This statement can be found on page 36.

Appropriations:

Salaries and benefits have been budgeted per current labor agreements adjusted for step increases and assuming a full staffing level.

Employee benefits expenses for medical insurance and retirement reflect recent higher than CPI increases and post retirement health includes amortization of OPEB accrued liability over 30-Year term.

Non-labor operating expenditures for FY 2010 and the remainder of the 10-Year planning period, depending on the category, include increases between 2% and 3% for inflation.

Includes internal service fund charges for workers' compensation.

Contingency Reserve is a 10% of total appropriations.

**City of Concord  
Special Revenue Fund  
Landscape & Lighting Maintenance District No. 3  
Ten Year Projection  
For the Year Ending June 30, 2010**

	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>
Fund Balance 7/01	\$ 229,399	\$ 235,693	\$ 241,653	\$ 247,324	\$ 252,707	\$ 257,793	\$ 262,567	\$ 267,010	\$ 269,784	\$ 270,756
<b>Revenue</b>										
Taxes	\$ 75,304	\$ 75,547	\$ 75,797	\$ 76,054	\$ 76,320	\$ 76,593	\$ 76,874	\$ 77,164	\$ 77,463	\$ 77,770
Other Revenues	637	656	675	696	717	738	760	783	805	830
Use of Money & Property	4,599	5,885	7,216	8,588	9,996	11,434	12,898	13,073	13,164	13,164
Total Revenue	\$ 80,540	\$ 82,088	\$ 83,688	\$ 85,338	\$ 87,033	\$ 88,765	\$ 90,532	\$ 91,020	\$ 91,432	\$ 91,764
<b>Expenditures</b>										
Landscape Contract	\$ 22,790	\$ 23,319	\$ 23,816	\$ 24,323	\$ 24,841	\$ 25,372	\$ 25,914	\$ 26,467	\$ 27,032	\$ 27,609
Landscape Extra Work	5,359	5,466	5,575	5,686	5,800	5,916	6,034	6,155	6,278	6,403
Landscape Supplies	1,061	1,082	1,104	1,126	1,149	1,172	1,195	1,219	1,243	1,268
Water	34,616	35,655	36,725	37,827	38,962	40,131	41,335	42,575	43,853	45,168
Gas & Electricity	2,101	2,164	2,229	2,295	2,365	2,436	2,510	2,586	2,664	2,744
Capital Replacement Reserve	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Assessment Engineering	3,065	3,127	3,190	3,254	3,319	3,385	3,452	3,522	3,593	3,665
Printing, Publishing & Mailing	1,094	1,126	1,159	1,193	1,228	1,264	1,301	1,340	1,380	1,421
County Collection Fees	560	572	584	596	608	620	633	646	659	672
Other Fixed Charges	600	617	635	655	675	695	715	736	758	781
Total Expenditures	\$ 74,246	\$ 76,128	\$ 78,017	\$ 79,955	\$ 81,947	\$ 83,991	\$ 86,089	\$ 88,246	\$ 90,460	\$ 92,731
Revenue Over (Under) Expenditures	\$ 6,294	\$ 5,960	\$ 5,671	\$ 5,383	\$ 5,086	\$ 4,774	\$ 4,443	\$ 2,774	\$ 972	\$ (967)
Contingency Reserve	\$ 7,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 8,000	\$ 9,000	\$ 9,000	\$ 9,000	\$ 9,000
Fund Balance 6/30	\$ 228,693	\$ 233,653	\$ 239,324	\$ 244,707	\$ 249,793	\$ 254,567	\$ 258,010	\$ 260,784	\$ 261,756	\$ 260,789

**Notes:**

Meets all standards contained in the Budget and Fiscal Policies adopted by Council. This statement can be found on page 36.

Other revenues provided by General Fund Support.

Appropriations:

Salaries and benefits have been budgeted per current labor agreements adjusted for step increases and assuming a full staffing level.

Employee benefits expenses for medical insurance and retirement reflect recent higher than CPI increases and post retirement health includes amortization of OPEB accrued liability over 30-Year term.

Non-labor operating expenditures for FY 2010 and the remainder of the 10-Year planning period, depending on the category, include increases between 2% and 3% for inflation.

Includes internal service fund charges for information technology and workers' compensation.

Contingency Reserve is a 10% of total appropriations.

**City of Concord  
Special Revenue Fund  
Street Lighting Maintenance District  
Ten Year Projection  
For the Year Ending June 30, 2010**

	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>2014-15</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>2018-19</u>
Fund Balance 7/01	\$ 1,255,439	\$ 1,384,006	\$ 1,483,407	\$ 1,458,514	\$ 1,412,995	\$ 1,344,433	\$ 1,250,191	\$ 1,127,272	\$ 966,668	\$ 847,026
<b>Revenues</b>										
Taxes	\$ 1,051,339	\$ 1,051,339	\$ 1,051,339	\$ 1,051,339	\$ 1,051,339	\$ 1,051,339	\$ 1,051,339	\$ 1,051,339	\$ 1,051,339	\$ 1,051,339
Use of Money & Property	26,133	35,400	43,477	49,387	54,067	57,094	57,987	51,072	44,236	37,335
Total Revenue	\$ 1,077,472	\$ 1,086,739	\$ 1,094,816	\$ 1,100,726	\$ 1,105,406	\$ 1,108,433	\$ 1,109,326	\$ 1,102,411	\$ 1,095,575	\$ 1,088,674
<b>Expenditures</b>										
Street Lighting (Electricity)	\$ 600,000	\$ 618,000	\$ 636,540	\$ 655,636	\$ 675,305	\$ 695,564	\$ 716,431	\$ 737,924	\$ 760,062	\$ 782,864
Street Lighting (Consult./Contract)	29,580	30,172	30,775	31,391	32,018	32,658	33,311	33,977	34,657	35,350
Street Lighting (Personnel)	218,765	236,105	243,812	252,388	261,417	270,776	280,323	290,375	300,784	311,403
Street Lighting (Supplies)	30,000	31,212	31,836	32,473	33,122	33,784	34,460	35,149	35,852	36,569
Assessment Engineering	16,500	16,830	17,167	17,510	17,860	18,217	18,581	18,953	19,331	19,718
County Collection Fees	32,640	33,293	33,959	34,638	35,331	36,037	36,758	37,493	38,243	39,008
Other Fixed Charges	21,420	21,726	22,270	22,834	23,515	24,214	24,931	25,669	26,288	27,067
Loan Repayment w/Interest	-	-	103,350	99,375	95,400	91,425	87,450	83,475	-	-
Total Expenditures	\$ 948,905	\$ 987,338	\$ 1,119,709	\$ 1,146,245	\$ 1,173,968	\$ 1,202,675	\$ 1,232,245	\$ 1,263,015	\$ 1,215,217	\$ 1,251,979
Revenues Over (Under)	\$ 128,567	\$ 99,401	\$ (24,893)	\$ (45,519)	\$ (68,562)	\$ (94,242)	\$ (122,919)	\$ (160,604)	\$ (119,642)	\$ (163,305)
Contingency Reserve	\$ 95,000	\$ 99,000	\$ 102,000	\$ 105,000	\$ 108,000	\$ 111,000	\$ 114,000	\$ 118,000	\$ 122,000	\$ 125,000
Fund Balance 6/30	\$ 1,289,006	\$ 1,384,407	\$ 1,356,514	\$ 1,307,995	\$ 1,236,433	\$ 1,139,191	\$ 1,013,272	\$ 848,668	\$ 725,026	\$ 558,721

**Notes:**

Meets all standards contained in the Budget and Fiscal Policies adopted by Council. This statement can be found on page 36.

Street Light system purchased for \$1,200,000 in 2005. A loan from Traffic System Mgmt. Fund of \$477,000 to be repaid with interest over a 6 year period beginning in FY2011-12.

The balance of \$723,00 has been set aside from the Street Light District.

**Expenditures**

Salaries and benefits have been budgeted per current labor agreements adjusted for step increases and assuming a full staffing level.

Employee benefits expenses for medical insurance and retirement reflect recent higher than CPI increases and post retirement health includes amortization of OPEB accrued liability over 30-Year term.

Non-labor operating expenditures for FY 2010 and the remainder of the 10-Year planning period, depending on the category, include increases between 2% and 3% for inflation.

Includes internal service fund charges for vehicles, information technology, workers' compensation & liability.

Contingency Reserve is a 10% of total appropriations.

Contingency reserve calculated on all expenditures except Street Light Purchase, loan repayment and energy reserve.

PART B

ESTIMATE OF COST

The 1972 Act provides that the total cost of installation, construction, operation, maintenance and servicing of landscaping can be recovered by the District. Maintenance can include the repair and replacement of existing landscaping facilities. Servicing can include electrical and associated costs from a public utility. Incidental expenses, including administration of the District, engineering fees, legal fees, printing, posting, and mailing of notices, and all other costs associated with the annual collection process can also be included.

A detailed cost summary for FY 2008-09 and FY 2009-10 is shown below.

TABLE I: COST ESTIMATE FY 2009-10		
	FY 2008-09	FY 2009-10
Fund Balance July 1	\$504,094	\$502,131
	\$504,094	\$502,131
Add Revenues:		
Assessments	\$316,188	\$318,546
General Fund	\$203,394	\$209,495
Use of Money & Property	\$16,474	\$10,069
Total Revenues	\$536,056	\$538,110
Less Appropriations		
Landscape Contract	\$262,668	\$243,127
Gas & Electricity	\$6,365	\$6,556
Water & Miscellaneous	\$33,645	\$34,654
Admin & General Services	\$203,394	\$209,495
Assessment Engineering	\$6,500	\$6,630
County Collection Fees	\$728	\$743
Printing, Publishing & Mailing	\$557	\$541
Consultant/Contract Services	\$5,000	\$5,150
Other Fixed Charges	\$19,162	\$18,549
Total Expenditures	\$538,019	\$525,445
Revenues Over (Under)		
Appropriations	(1,963)	12,665
Contingency Reserves	\$33,463	\$32,000
Contingency	\$33,463	\$32,000
Fund Balance on June 30	\$468,668	\$482,796

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by the assessments shall be used only for the purpose as stated herein. A contribution to the Downtown Landscape Maintenance District may be made to reduce assessments, as the City Council deems appropriate. Any balance remaining on July 1 must be carried over to the next fiscal year unless the funds are being accumulated for future capital improvements and operating reserves.

## PART B

## ESTIMATE OF COST

The 1972 Act provides that the total cost of installation, construction, operation, maintenance and servicing of landscaping and appurtenant facilities can be recovered by the District. Maintenance can include the repair and replacement of existing facilities. Servicing can include electrical and associated costs from a public utility. Incidental expenses, including administration of the District, engineering fees, legal fees, printing, posting, and mailing of notices, and all other costs associated with the annual collection process can also be included.

The operation, maintenance and servicing costs for Fiscal Year 2009-10 are summarized below. These cost estimates were provided by the City of Concord.

<b>TABLE I: COST ESTIMATE FY 2009-10</b>		
<b>Pine Hollow Estates Landscape and Lighting Maintenance District</b>		
	<b>FY 2008-09</b>	<b>FY 2009-10</b>
Fund Balance July 1	\$246,930	\$245,465
	<b>\$246,930</b>	<b>\$245,465</b>
Add Revenues:		
Assessments	\$61,677	\$61,677
Use of Money & Property	\$10,827	\$6,796
<b>Total Revenues</b>	<b>\$72,504</b>	<b>\$68,473</b>
Less Appropriations		
Landscape Contract	\$20,156	\$20,559
Landscape Extra Work	\$10,000	\$10,200
City Staff Time	\$1,354	\$1,381
Gas & Electricity	\$926	\$954
Capital Replacement Reserve **	\$15,575	\$15,270
Water & Miscellaneous	\$22,075	\$22,737
Assessment Engineering	\$3,000	\$3,060
Printing, Publishing & Mailing	\$467	\$453
County Collection Fees	\$416	\$424
<b>Total Expenditures</b>	<b>\$73,969</b>	<b>\$75,038</b>
Revenues Over (Under)		
Appropriations	(\$1,465)	(\$6,565)
Contingency Reserves	\$7,397	\$8,000
Contingency	\$7,397	\$8,000
<b>Fund Balance on June 30</b>	<b>\$238,068</b>	<b>\$230,900</b>

\*\*Refer to Appendix 'A' for the Capital Replacement Reserve Summary

## PART B

## ESTIMATE OF COST

The 1972 Act provides that the total cost of installation, construction, operation, maintenance and servicing of landscaping and street lighting can be recovered by the District. Maintenance can include the repair and replacement of existing facilities. Servicing can include electrical and associated costs from a public utility. Incidental expenses, including administration of the District, engineering fees, legal fees, printing, posting, and mailing of notices, and all other costs associated with the annual collection process can also be included.

The operation, maintenance and servicing costs for each benefit zone for Fiscal Year 2009-10 are summarized below. These cost estimates were provided by the City of Concord.

TABLE 1: KIRKWOOD COST ESTIMATE FY 2009-10 Landscaping and Lighting Maintenance District No. 3			
	FY 2008-09		FY 2009-10
Fund Balance July 1	\$88,796		\$95,803
		\$88,796	\$95,803
<b>Add Revenues:</b>			
Assessments	\$19,020		\$19,020
State Augmentation	\$45,230		\$45,230
Use of Money & Property	\$3,565		\$1,918
<b>Total Revenues</b>		\$67,815	\$66,168
<b>Less Appropriations</b>			
Landscape Contract	\$19,500		\$19,890
Non-Scheduled Repairs	\$3,060		\$5,000
Water	\$30,409		\$31,321
Gas & Electricity	\$685		\$706
Capital Replacement	\$3,000		\$3,000
Assessment Engineering	\$2,634		\$2,687
Printing, Publishing & Mailing	\$1,000		\$971
County Collection Fees	\$520		\$530
<b>Total Expenditures</b>		\$60,808	\$64,105
<b>Revenues Over (Under)</b>	\$7,007		\$2,063
Appropriations		\$7,007	\$2,063
Contingency Reserves	\$6,081		\$6,000
Contingency		\$6,081	\$6,000
<b>Fund Balance on June 30</b>		\$89,722	\$91,866

In Fiscal Year 2007-08 a "Capital Reserve Fund" of approximately \$3,000 each year was established to provide for the funding of Capital Replacement of items such as the removal of Pine Trees or a Rain Sensor for the sprinklers.

TABLE 2: YGNACIO WOODS COST ESTIMATE FY 2009-10 Landscaping and Lighting Maintenance District No. 3		
	FY 2008-09	FY 2009-10
Fund Balance July 1	\$12,756	\$13,261
	\$12,756	\$13,261
<b>Add Revenues:</b>		
Assessments	\$8,046	\$8,092
Other Revenues	\$618	\$637
Use of Money & Property	\$481	\$258
<b>Total Revenues</b>	<b>\$9,145</b>	<b>\$8,987</b>
<b>Less Appropriations</b>		
Landscape Contract	\$2,885	\$2,900
Landscape Extra Work	\$352	\$359
Landscape Supplies	\$1,040	\$1,061
Water	\$3,199	\$3,295
Gas & Electricity	\$284	\$293
Assessment Engineering	\$197	\$201
Printing, Publishing & Mailing	\$36	\$35
County Collection Fees	\$29	\$30
Other Fixed Charges	\$618	\$600
<b>Total Expenditures</b>	<b>\$8,640</b>	<b>\$8,774</b>
<b>Revenues Over (Under)</b>	<b>\$505</b>	<b>\$213</b>
<b>Appropriations</b>	<b>\$505</b>	<b>\$213</b>
<b>Contingency Reserves</b>	<b>\$864</b>	<b>\$1,000</b>
<b>Contingency</b>	<b>\$864</b>	<b>\$1,000</b>
<b>Fund Balance on June 30</b>	<b>\$12,397</b>	<b>\$12,474</b>

TABLE 3: BALHAN TERRACE COST ESTIMATE FY 2009-10 Landscaping and Lighting Maintenance District No. 3		
	FY 2008-09	FY 2009-10
Fund Balance July 1	\$7,924	\$8,211
	\$7,924	\$8,211
<b>Add Revenues:</b>		
State Augmentation	\$662	\$662
Use of Money & Property	\$283	\$164
<b>Total Revenues</b>	<b>\$947</b>	<b>\$826</b>
<b>Less Appropriations</b>		
Electrical Utilities	\$610	\$628
Assessment Engineering	\$35	\$36
Printing, Publishing & Mailing	\$15	\$15
<b>Total Expenditures</b>	<b>\$660</b>	<b>\$679</b>
<b>Revenues Over (Under)</b>	<b>\$287</b>	<b>\$147</b>
<b>Appropriations</b>	<b>\$287</b>	<b>\$147</b>
<b>Contingency Reserves</b>	<b>\$66</b>	<b>\$100</b>
<b>Contingency</b>	<b>\$66</b>	<b>\$100</b>
<b>Fund Balance on June 30</b>	<b>\$8,145</b>	<b>\$8,258</b>

TABLE 4: VALLEY TERRACE COST ESTIMATE FY 2009-10 Landscaping and Lighting Maintenance District No. 3		
	FY 2008-09	FY 2009-10
Fund Balance July 1	\$106,274	\$112,106
	\$106,274	\$112,106
<b>Add Revenues:</b>		
State Augmentation	\$2,300	\$2,300
Use of Money & Property	\$4,205	\$2,258
<b>Total Revenues</b>	<b>\$6,505</b>	<b>\$4,558</b>
<b>Less Appropriations</b>		
Electrical Utilities	\$460	\$474
Assessment Engineering	\$138	\$141
Printing, Publishing & Mailing	\$75	\$73
<b>Total Expenditures</b>	<b>\$673</b>	<b>\$688</b>
<b>Revenues Over (Under)</b>	<b>\$5,832</b>	<b>\$3,870</b>
Appropriations	\$5,832	\$3,870
<b>Contingency Reserves</b>	<b>\$67</b>	<b>\$100</b>
Contingency	\$67	\$100
<b>Fund Balance on June 30</b>	<b>\$112,039</b>	<b>\$115,876</b>

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the District. Funds raised by the assessments shall be used only for the purpose as stated herein. A contribution to the Landscaping & Lighting Maintenance District No. 3 may be made to reduce assessments, as the City Council deems appropriate. Any balance remaining on July 1 must be carried over to the next fiscal year unless the funds are being accumulated for future capital improvements and operating reserves.

## PART B

## ESTIMATE OF COST

The 1972 Act provides that the total cost of installation, construction, operation, maintenance and servicing of street lighting can be recovered by the District. Maintenance can include the repair and replacement of existing facilities. Servicing can include electrical and associated costs from a public utility. Incidental expenses, including administration of the District, engineering fees, legal fees, printing, posting, and mailing of notices, and all other costs associated with the annual collection process can also be included.

The operation, maintenance and servicing costs for Fiscal Year 2009-10 are summarized below. These cost estimates were provided by the City of Concord.

	FY 2008-09	FY 2009-10
Fund Balance July 1	\$1,106,619	\$1,255,439
	\$1,106,619	\$1,255,439
Add Revenues:		
Assessments	\$1,051,339	\$1,051,339
Use of Money & Property	<u>\$39,275</u>	<u>\$26,133</u>
Total Revenues	\$1,090,614	\$1,077,472
Less Appropriations <sup>1</sup>		
Street Lighting (Electricity)	\$600,000	\$600,000
Street Lighting (Consultant/Contract)	\$29,000	\$29,580
Street Lighting (Personnel)	\$211,083	\$218,765
Street Lighting (Supplies)	\$30,000	\$30,000
Assessment Engineering	\$16,500	\$16,500
County Collection Fees	\$33,293	\$32,640
Other Fixed Charges	\$21,432	\$21,420
Loan Repayment w/Interest <sup>2</sup>	\$0	\$0
Total Expenditures	\$941,308	\$948,905
Revenues Over (Under)		
Appropriations	\$149,306	\$128,567
Contingency Reserves <sup>3</sup>	<u>\$94,131</u>	<u>\$95,000</u>
Contingency - 10%	\$94,131	\$95,000
Fund Balance on June 30	\$1,161,794	\$1,289,006

<sup>1</sup> The street light system was purchased in 2005 for \$1.2 million. The District previously set aside \$522,000 toward the purchase. The General Fund has contributed \$200,000 and the remaining costs were funded through a \$477,000 loan from the Traffic Mgmt Fund (TSM).

<sup>2</sup> The \$477,000 TSM loan will be repaid over 6 years with interest beginning in FY 2011-12.

<sup>3</sup> The contingency reserve is 10% of all appropriations

CITY OF CONCORD  
Public Works Department  
1455 Gasoline Alley  
Concord, CA 94520  
Fax: (925) 680-1660



CITY COUNCIL  
Laura M. Hoffmeister, Mayor  
Guy S. Bjerke, Vice Mayor  
Helen M. Allen  
Mark A. Peterson  
William D. Shinn

Mary Rae Lehman, City Clerk  
Thomas Wentling, City Treasurer

Daniel E. Keen, City Manager

Telephone: (925) 671-3445

April 10, 2009

Dear Property Owner:

**Subject: Pine Hollow Landscape and Lighting Maintenance District Community Meeting**

A meeting was held with the Pine Hollow Landscape and Lighting Maintenance District on March 19, 2009 from 7:00 - 8:00 p.m. at Centre Concord, 5298 Clayton Road. City staff members, the District's Consulting Assessment Engineer, and three property owners from the Pine Hollow neighborhood were in attendance. Discussion topics included the Annual Budget, Landscape Maintenance Contract, Quality of Annual Maintenance, and Open Discussion.

The Fiscal Year 2009/10 proposed budget and Ten-Year Plan were discussed. The proposed budget for Fiscal Year 2009/2010 is virtually the same as last year with a 2% to 3% increase for inflation of non-labor expenditures. There is no change in the annual amount of capital appropriated to the reserve fund for repair and replacement of district infrastructure. There is no proposed increase in the property assessments and the District's Ten-Year Plan is balanced through Fiscal Year 2018/2019.

All of the landscape services charged to the Pine Hollow District are provided through a maintenance contract managed by the Public Works Department. A new contract will be awarded this April to TruGreen LandCare for one year with an option for two additional years of service at the City's discretion.

Over the last three years drought conditions has forced the Contra Costa Water District to implement rationing measures for this year, beginning in May. Rationing for irrigation water is much more stringent than residential use. Residents are being reduced by 15% while irrigation accounts are being reduced by 45%. You may see the effects of this rationing in your district. The City will monitor all water usage to provide the most efficient irrigation while conserving to avoid penalties imposed by the water district.

The following comments were brought up by property owners in attendance:

1. Property owners requested that the Concord Police Department patrol the tot-lot area in the early morning hours. Evidence of vandalism including multiple fires and illicit behavior are a concern. Public Works staff passed this information on to the Concord Police Department's Valley Field Office.

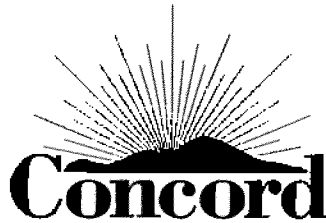
2. An offset sidewalk was reported at 1095 Discovery Way. Public Works staff will inspect and eliminate the tripping hazard.
3. A resident reported some dead trees on Discovery Way. Parks staff will inspect and determine if removal is required and schedule replanting when drought crisis is over.
4. It was reported that clippings were not picked up after pruning rose brushes. This was passed on to the District Landscape Gardeners.
5. Landscaping was requested for the island at Vista Point Lane and Rolling Woods Way. Parks staff will investigate a landscaping plan to implement once the drought crisis is over.
6. Over the last several years pine trees on Pine Hollow Road have fallen over. Residents are interested in replacing the trees with a different variety. Parks staff will explore other varieties and once again plant when their will be sufficient water allocations.
7. A property owner reported hillside dirt on the sidewalk on east side of Discovery Way. Staff has been directed to sweep the area.
8. It was stated that when the hillside was disked, the blades did damage to the asphalt pathway. Staff will inspect and determine if repairs are necessary.

We look forward to working with you through another successful year. If you have any questions regarding your maintenance district, please contact me at (925) 671-3445.

Sincerely,



John Rego  
Parks Manager



Telephone: (925) 671-3445

April 10, 2009

Dear Property Owner:

**Subject: Landscaping and Lighting Maintenance District No. 3 Community Meeting**

A meeting was held with the Landscape and Lighting Maintenance District No. 3 property owners on March 19, 2009 from 6:00 - 7:00 p.m. at Centre Concord, 5298 Clayton Road. District No. 3 includes Kirkwood Landscape Maintenance District, Ygnacio Woods Maintenance District, Balhan Terrace, and Valley Terrace Lighting Districts. City staff members, the District's Consulting Assessment Engineer, and three property owners from the Kirkwood neighborhood were in attendance. Discussion topics included the Annual Budget, Landscape Maintenance Contract, Quality of Annual Maintenance, and Open Discussion.

**Kirkwood**

The Fiscal Year 2009/10 proposed budget and Ten-Year Plan were discussed. The proposed budget for Fiscal Year 2009/2010 includes a \$5,000 increase for landscape contract costs and a 2% to 3% increase for inflation of non-labor expenditures. As a district that was in existence prior to 1978, it was explained that Kirkwood continues to receive additional monies from the state for offsetting the effects of Proposition 13. Should these additional funds be withheld district costs would soon out run current assessments. Currently the District's Ten Year Plan is balanced through Fiscal Year 2018/2019 with no additional services. There is no proposed increase in the property assessments. Staff will continue to monitor all district expenditures.

Starting in FY 2007/08 a capital reserve of \$3,000 annually was budgeted for future infrastructure replacement. Funds were used last year to install new "Smart" irrigation controllers for more efficient irrigation. We will continue to allocate this money each year to build a reserve for future replacement of capital items.

Over the last three years drought conditions has forced the Contra Costa Water District to implement rationing measures for this year, beginning in May. Rationing for irrigation water is much more stringent than residential use. Residents are being reduced by 15% while irrigation accounts are being reduced by 45%. You can expect to see the effects of this rationing in your greenbelts areas. With the district's newer controllers the City will monitor all water usage to provide the most efficient irrigation while conserving to avoid penalties imposed by the water district.

All of the landscape services charged to the Kirkwood Subdivisions are provided through a maintenance contract managed by the Public Works Department. A new contract will be awarded this April to TruGreen LandCare for one year with an option for two additional years of service at the City's discretion.

Comments by property owners in attendance from the Kirkwood subdivisions included requests for improvements to Kirker Pass Road and questions regarding maintenance responsibility for drainage behind the Camino Estrada properties. You may contact the City's Engineering Division at 671-3361 for information on future road improvements. Drainage maintenance issues may be directed to Public Works at 671-3050. Public Works staff has requested that the appropriate staff contact directly those persons in attendance at the meeting with specific questions regarding their properties.

### **Ygnacio Woods**

No residents from the Ygnacio Woods neighborhood attended the meeting. This will be the fifth year of automatic CPI inflation increases for the Ygnacio Woods assessments following the successful Proposition 218 election in FY 2004/05. The proposed assessment is inflated by approximately .88% over the current assessment. The annual assessment per parcel is projected to be \$231.20. Ygnacio Woods' Ten-Year Plan is balanced through Fiscal Year 2018/19

We look forward to working with you through another successful year. If you have any questions regarding your maintenance district, please contact me at (925) 671-3445.

Sincerely,



John Rego  
Parks Manager