



## CITY OF ATASCADERO CITY COUNCIL AGENDA

### **HYBRID MEETING INFORMATION:**

The City Council meeting will be available via teleconference for those who wish to participate remotely. The City Council meeting will also be held in the City Council Chambers and in-person attendance will be available at that location.

### **HOW TO OBSERVE THE MEETING REMOTELY:**

To participate remotely, residents can livestream the meeting on [Zoom](#), SLO-SPAN.org, on Spectrum cable Channel 20 in Atascadero, and listen live on KPRL Radio 1230AM and 99.3FM. The video recording of the meeting will repeat daily on Channel 20 at 1:00 am, 9:00 am, and 6:00 pm and will be available through the City's website and on the City's YouTube Channel. To participate remotely using the Zoom platform please visit [https://us02web.zoom.us/webinar/register/WN\\_ZwJ7a031S3KXauEym9ehaA](https://us02web.zoom.us/webinar/register/WN_ZwJ7a031S3KXauEym9ehaA).

### **HOW TO SUBMIT PUBLIC COMMENT:**

Individuals who wish to provide public comment in-person may attend the meeting in the City Council Chambers. Individuals who wish to participate remotely may call **(669) 900-6833** (Meeting ID: 889 2347 9018) to listen and provide public comment via phone or via the [Zoom](#) platform using the link above.

If you wish to comment but not via a live platform, please email public comments to [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org). Such email **comments must identify the Agenda Item Number in the subject line of the email**. The comments will be forwarded to the City Council and made a part of the administrative record. ***To ensure distribution to the City Council prior to consideration of the agenda, the public is encouraged to submit comments no later than 12:00 p.m. the day of the meeting.*** Those comments, as well as any comments received after that time, but before the close of the item, will be distributed to the City Council, posted on the City's website, and will be made part of the official public record of the meeting. ***Please note, email comments will not be read into the record.***

### **AMERICAN DISABILITY ACT ACCOMMODATIONS:**

Any member of the public who needs accommodations should contact the City Clerk's Office at [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org) or by calling 805-470-3400 at least 48 hours prior to the meeting or time when services are needed. The City will use their best efforts to provide reasonable accommodations to afford as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

City Council agendas and minutes may be viewed on the City's website: [www.atascadero.org/agendas](http://www.atascadero.org/agendas).

Copies of the staff reports or other documentation relating to each item of business referred to on the Agenda are on file in the office of the City Clerk and are available for public inspection on our website, [www.atascadero.org](http://www.atascadero.org). Contracts, Resolutions and Ordinances will be allocated a number once they are approved by the City Council. The Minutes of this meeting will reflect these numbers. All documents submitted by the public during Council meetings that are made a part of the record or referred to in their statement will be noted in the Minutes and available for review by contacting the City Clerk's office. All documents will be available for public inspection by appointment during City Hall business hours.



# CITY OF ATASCADERO CITY COUNCIL

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## AGENDA

Tuesday, May 9, 2023

City Hall Council Chambers, 4th Floor  
6500 Palma Avenue, Atascadero, California

<b><u>City Council Regular Session:</u></b>	<b>6:00 P.M.</b>
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**REGULAR SESSION – CALL TO ORDER: 6:00 P.M.**

**PLEDGE OF ALLEGIANCE:** Mayor Moreno

**ROLL CALL:** Mayor Moreno  
Mayor Pro Tem Funk  
Council Member Bourbeau  
Council Member Dariz  
Council Member Newsom

**APPROVAL OF AGENDA:** Roll Call

Recommendation: Council:

1. Approve this agenda; and
2. Waive the reading in full of all ordinances appearing on this agenda, and the titles of the ordinances will be read aloud by the City Clerk at the first reading, after the motion and before the City Council votes.

**CLOSED SESSION – REPORT (IF ANY)**

**1. April 27, 2023**

- A. CONSENT CALENDAR:** (All items on the consent calendar are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Council or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the Consent Calendar and will be considered in the listed sequence with an opportunity for any member of the public to address the Council concerning the item before action is taken.)

**1. City Council Draft Action Minutes – April 19, 2023 Special Closed Session Meeting; April 25, 2023 Regular Session Meeting; April 27, 2023 Special Closed Session Meeting; and May 1, 2023 Special Session Meeting**

- Recommendation: Council approve the April 19, 2023 Draft City Council Special Closed Session Meeting Minutes; April 25, 2023 Regular Session Meeting Minutes; April 27, 2023 Special Closed Session Meeting Minutes; and May 1, 2023 Special Session Meeting Minutes. [City Clerk]

**2. Apple Valley Assessment Districts**

- Fiscal Impact: \$38,500 for road/drainage system maintenance and \$63,000 for landscape and lighting maintenance; these amounts will be assessed to the owners of parcels in Apple Valley, the City will contribute \$11,000 from its General Fund for half the cost of the park, and an equal revenue source will be recognized from contributions made by the developer.
- Recommendation: Council:
  1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024; and
  2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley); and
  3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) in fiscal years 2023/2024, and to appoint a time and place for the public hearing on these matters; and
  4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code; and
  5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024; and
  6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024. [Administrative Services]

**3. De Anza Estates Assessment Districts**

- Fiscal Impact: \$30,562 for road/drainage system maintenance and \$15,875 for landscape and lighting maintenance; these amounts will be assessed to the owners of parcels in De Anza Estates, and the City will contribute \$1,400 from its General Fund for half the maintenance costs of the trails and open space.
- Recommendation: Council:
  1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024; and
  2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates); and

3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) in fiscal year 2023/2024, and to appoint a time and place for the public hearing on these matters; and
4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code; and
5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024; and
6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024. [Administrative Services]

**4. Las Lomas (Woodridge) Assessment Districts**

- Fiscal Impact: \$99,189 for road/drainage system maintenance and \$74,160 for landscape and lighting maintenance; these amounts will be assessed to the owners of parcels in Las Lomas (Woodridge), and the City will contribute \$2,600 from its General Fund for 25% of the maintenance costs of the trails and open space.
- Recommendation: Council:
  1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2023/2024; and
  2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]); and
  3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]) in fiscal years 2023/2024, and to appoint a time and place for the public hearing on these matters; and
  4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code; and
  5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2023/2024; and
  6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2023/2024. [Administrative Services]

**UPDATES FROM THE CITY MANAGER:** (The City Manager will give an oral report on any current issues of concern to the City Council.)

**COMMUNITY FORUM:** (This portion of the meeting is reserved for persons wanting to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Speakers are limited to three minutes. Please state your name for the record before making your presentation. Comments made during Community Forum will not be a subject of discussion. A maximum of 30 minutes will be allowed for Community Forum, unless changed by the Council. Comments will be allowed for the entire 30-minute period so if the final speaker has finished before the 30 minute period has ended and a member of the public wishes to make a comment after the Council has commenced another item, the member should alert the Clerk within the 30 minute period of their desire to make a comment and the Council will take up that comment upon completion of the item which was commenced. Any members of the public who have questions or need information may contact the City Clerk's Office, between the hours of 8:30 a.m. and 5:00 p.m. at (805) 470-3400, or [cityclerk@atascadero.org](mailto:cityclerk@atascadero.org).)

**B. PUBLIC HEARINGS:**

**1. Weed Abatement – Hearing of Objections**

- Fiscal Impact: None.
- Recommendation: Council:
  1. Hear all objections to the proposed removal of vegetative growth and/or refuse and allow or overrule any objections; and
  2. Authorize the Fire Chief to proceed and perform the work of abatement. [Fire Department]

**C. MANAGEMENT REPORTS:**

**1. Appointment of James R. Lewis as City Manager**

- Fiscal Impact: \$21,916.67 monthly plus benefits.
- Recommendation: Council approve the Employment Agreement for James R. Lewis to serve as City Manager for the City of Atascadero. [City Manager]

**2. General Plan Update Project**

- Fiscal Impact: None.
- Recommendation: Council provide direction to staff on the draft General Plan Vision and Guiding Principles. [Community Development]

**D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:** (On their own initiative, Council Members may make a brief announcement or a brief report on their own activities. The following represent standing committees. Informative status reports will be given, as felt necessary):

Mayor Moreno

1. City Selection Committee
2. County Mayors Round Table
3. Regional Economic Action Coalition (REACH)
4. SLO Council of Governments (SLOCOG)

5. SLO Regional Transit Authority (RTA)

Mayor Pro Tem Funk

1. Atascadero Basin Ground Water Sustainability Agency (GSA)
2. Design Review Committee
3. Homeless Services Oversight Council

Council Member Bourbeau

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. Integrated Waste Management Authority (IWMA)
4. SLO County Water Resources Advisory Committee (WRAC)

Council Member Dariz

1. Air Pollution Control District
2. California Joint Powers Insurance Authority (CJPIA) Board
3. Community Action Partnership of San Luis Obispo (CAPSLO)
4. Visit SLO CAL Advisory Committee

Council Member Newsom

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. Design Review Committee
4. League of California Cities – Council Liaison

**E. INDIVIDUAL DETERMINATION AND / OR ACTION:** (Council Members may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda. The Council may take action on items listed on the Agenda.)

1. City Council
2. City Clerk
3. City Treasurer
4. City Attorney
5. City Manager

**ADJOURNMENT**

**SPECIAL MEETING**  
**ATASCADERO CITY COUNCIL**  
**CLOSED SESSION**  
Wednesday, April 19, 2023, 6:00 P.M.  
Atascadero City Hall Council Chambers, 4th Floor  
6500 Palma Avenue, Atascadero, California  
**DRAFT MINUTES**

**COUNCIL CLOSED SESSION: 6:00 P.M.**

Mayor Moreno called the meeting to order at 6:01 p.m.

**1. ROLL CALL**

Present: Council Members Bourbeau, Dariz, Newsom, Mayor Pro Tem Funk,  
and Mayor Moreno

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard

**2. CLOSED SESSION -- PUBLIC COMMENT – None**

Mayor Moreno noted that announcements of any reportable action taken in Closed Session will be made at the beginning of the next Regular City Council Meeting on Tuesday, April 25, 2023.

**3. COUNCIL LEAVES TO BEGIN CLOSED SESSION**

**4. CLOSED SESSION -- CALL TO ORDER**

- a. **Conference Regarding Public Employment (Govt. Code Sec. 54957)**  
Title: City Manager

**ADJOURNMENT:**

Mayor Moreno adjourned the Special Meeting at 8:47 p.m. to the next Regular Session on April 25, 2023.

**MINUTES PREPARED BY:**

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Lara K. Christensen  
Deputy City Manager / City Clerk

**APPROVED:**



# CITY OF ATASCADERO CITY COUNCIL

## DRAFT MINUTES

Tuesday, April 25, 2023

City Hall Council Chambers, 4th Floor  
6500 Palma Avenue, Atascadero, California

City Council Regular Session:

6:00 P.M.

### REGULAR SESSION – CALL TO ORDER: 6:00 P.M.

Mayor Moreno called the meeting to order at 6:00 p.m. and Council Member Newsom led the Pledge of Allegiance.

### ROLL CALL:

Present: Council Members Bourbeau, Dariz, Newsom, Mayor Pro Tem Funk, and Mayor Moreno

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Community Development Director Dunsmore, Fire Chief Casey Bryson, Acting Police Chief Bob Molle, Public Works Director Nick DeBar, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, Deputy City Manager – IT Luke Knight, and Deputy Economic and Community Development Director Loreli Cappel

### APPROVAL OF AGENDA:

**MOTION:** By Council Member Bourbeau and seconded by Mayor Pro Tem Funk to:

1. Approve this agenda; and
2. Waive the reading in full of all ordinances appearing on this agenda, and the titles of the ordinances will be read aloud by the City Clerk at the first reading, after the motion and before the City Council votes.

*Motion passed 5:0 by a roll-call vote.*



**CLOSED SESSION – REPORT (IF ANY)**

**1. April 19, 2023**

City Attorney Pierik reported there was no reportable action.

**PRESENTATIONS:**

**1. Proclamation to Lumina Alliance in Recognition of Sexual Assault Action Month**

The City Council presented a proclamation to Sam Gottlieb, Chief People and Culture Officer for Lumina Alliance, in recognition of Sexual Assault Action Month.

**A. CONSENT CALENDAR:**

**1. City Council Draft Action Minutes – April 11, 2023 Regular Meetings**

- Recommendation: Council approve the April 11, 2023 Draft City Council Regular Meeting Minutes. [City Clerk]

**2. March 2023 Accounts Payable and Payroll**

- Fiscal Impact: \$2,693,605.44.
- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for March 2023. [Administrative Services]

**3. Atascadero Creek Capacity Restoration Project Analysis, Design, and Permitting Phase Award**

- Fiscal Impact: \$360,000.
- Recommendation: Council:
  1. Approve a professional services contract for \$276,910 with Schaaf & Wheeler Consulting Civil Engineers to provide professional engineering services for the Atascadero Creek Capacity Restoration Project; and
  2. Approve a professional services contract amendment for \$64,820 with SWCA Environmental Consultants to provide environmental permitting services for the Atascadero Creek Capacity Restoration Project. [Public Works]

**MOTION: By Council Member Bourbeau and seconded by Council Member Newsom to approve the Consent Calendar. (#A-3: Contract Nos. 2023-011 and 2023-012)**

***Motion passed 5:0 by a roll-call vote.***

**UPDATES FROM THE CITY MANAGER:**

City Manager Rickard gave an update on projects and events within the City.

**COMMUNITY FORUM:**

The following persons spoke in-person, by telephone or through the webinar: None

**B. PUBLIC HEARINGS: None**

**C. MANAGEMENT REPORTS:**

**1. North County Broadband Strategic Plan**

- Fiscal Impact: None.
- Recommendation: Council adopt the North County Broadband Strategic Plan. [Community Development]

Deputy Director of Economic & Community Development Cappel briefed the Council on the report and introduced the project consultant, Maria Kelly of Teleworx, who gave the presentation and answered questions from Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None

***Mayor Moreno closed the Public Comment period.***

**MOTION: By Council Member Dariz and seconded by Mayor Pro Tem Funk to adopt the North County Broadband Strategic Plan.  
*Motion passed 5:0 by a roll-call vote.***

**2. Affordable Housing Incentives: Phase 1**

- Fiscal Impact: Projected approximately \$3,000,000 in deferred impact fees and wastewater capacity charges for the term of the deferral.
- Recommendation: Council:
  1. Direct staff to bring back a policy to allow deferral of development impact fees and wastewater capacity charges for affordable housing projects in accordance with City Housing Element Policy; and
  2. Authorize staff to prepare a letter for People's Self-Help Housing that commits the City to offering an impact fee deferral for their Del Rio Ridge Affordable Housing project. [Community Development]

Community Development Director Dunsmore gave the presentation and answered questions from Council.

**PUBLIC COMMENT:**

The following citizens spoke on this item: None

***Mayor Moreno closed the Public Comment period.***

**MOTION: By Mayor Pro Tem Funk and seconded by Council Member Newsom to:**

1. **Direct staff to bring back a policy to allow deferral of development impact fees and wastewater capacity charges for affordable housing projects in accordance with City Housing Element Policy; and**

2. **Authorize staff to prepare a letter for People's Self-Help Housing that commits the City to offering an impact fee deferral for their Del Rio Ridge Affordable Housing project.**  
*Motion passed 5:0 by a roll-call vote.*

**Mayor Moreno recessed the Meeting at 7:50 p.m.**

**Mayor Moreno reconvened the Meeting at 7:57 p.m. with all present.**

**D. STUDY SESSION:**

**1. 2023 Draft Action Plan**

- Fiscal Impact: None.
- Recommendation: Council review and provide staff direction on the Draft Action Plan. [City Manager]

City Manager Rickard reviewed the Draft Action Plan with the Council and answered questions. Staff members present also answered Council questions.

**PUBLIC COMMENT:**

The following citizens spoke on this item: Sheila New and Karen McNamara

***Mayor Moreno closed the Public Comment period.***

***The Council reviewed and provided direction on the Draft Action Plan.***

**E. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:**

The following Council Members gave brief update reports on their committees since their last Council meeting:

Mayor Moreno

1. County Mayors Round Table
2. SLO Council of Governments (SLOCOG)

Mayor Pro Tem Funk

Mayor Pro Tem Funk reported attending the League of California Cities, City Leaders Summit in Sacramento from April 11-14, 2023.

Council Member Bourbeau

1. Integrated Waste Management Authority (IWMA)

Council Member Dariz

3. Community Action Partnership of San Luis Obispo (CAPSLO)

Council Member Newsom

1. City of Atascadero Finance Committee
2. Design Review Committee

**F. INDIVIDUAL DETERMINATION AND / OR ACTION:** None

**G. ADJOURNMENT**

Mayor Moreno adjourned the meeting at 9:41 p.m.

**MINUTES PREPARED BY:**

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Lara K. Christensen  
Deputy City Manager / City Clerk

**APPROVED:**

# SPECIAL MEETING

## ATASCADERO CITY COUNCIL

### CLOSED SESSION

Thursday, April 27, 2023, 6:00 P.M.

Atascadero City Hall Council Chambers, 4th Floor  
6500 Palma Avenue, Atascadero, California

## DRAFT MINUTES

**COUNCIL CLOSED SESSION: 6:00 P.M.**

Mayor Moreno called the meeting to order at 6:00 p.m.

### 1. ROLL CALL

Present: Council Members Bourbeau, Dariz, Newsom, Mayor Pro Tem Funk, and Mayor Moreno

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, Community Development Director Phil Dunsmore, Fire Chief Casey Bryson, Acting Police Chief Bob Molle, Public Works Director Nick DeBar, Deputy City Manager/City Clerk Lara Christensen, and Deputy City Manager – IT Luke Knight

### 2. CLOSED SESSION -- PUBLIC COMMENT – None

Mayor Moreno noted that announcements of any reportable action taken in Closed Session will be made at the beginning of the next Regular City Council Meeting on Tuesday, April 25, 2023.

### 3. COUNCIL LEAVES TO BEGIN CLOSED SESSION

### 4. CLOSED SESSION -- CALL TO ORDER

- a. **Conference Regarding Public Employment (Govt. Code Sec. 54957)**  
Title: City Manager

**b. Conference with Labor Negotiator (Govt. Code Sec. 54957.6)**

Agency Negotiators: Administrative Services Director & Deputy City Manager

Title: City Manager

**ADJOURNMENT:**

Mayor Moreno adjourned the Special Meeting at 7:39 p.m. to the next Regular Session on May 9, 2023.

**MINUTES PREPARED BY:**

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Lara K. Christensen  
Deputy City Manager / City Clerk

**APPROVED:**

# **SPECIAL MEETING**

## **ATASCADERO CITY COUNCIL**

**May 1, 2023, 6:00 P.M.**

**Atascadero City Hall Council Chambers, 4th Floor  
6500 Palma Avenue, Atascadero, California**

### **INTERVIEWS AND APPOINTMENT**

### **SAN LUIS OBISPO COUNTY** **TOURISM MARKETING DISTRICT (TMD) BOARD**

## **DRAFT MINUTES**

**COUNCIL SPECIALSESSION: 6:00 P.M.**

Mayor Moreno called the meeting to order at 6:02 p.m.

#### **ROLL CALL**

Present: Council Members Bourbeau, Dariz, Newsom, Mayor Pro Tem Funk,  
and Mayor Moreno

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, Deputy City Manager Terrie Banish,  
and Administrative Assistant/Deputy City Clerk Dillon Dean James

#### **1. INTERVIEW PROCESS**

Council discussed process for interviewing candidates to represent the City of Atascadero on the County's Tourism Marketing District (TMD) Board.

#### **2. SAN LUIS OBISPO COUNTY TOURISM MARKETING DISTRICT (TMD) BOARD APPOINTMENT**

Two candidates attended the Special City Council meeting and were interviewed by Council: Amar Sohi and Amanda Brown, respectively.

### 3. ANNOUNCEMENT OF APPOINTMENT

Deputy City Clerk James announced that, after one round of voting, Council unanimously voted to appoint Amar Sohi as the City's TMD representative.

#### **PUBLIC COMMENT:**

*Mayor Moreno opened Public Comment.*

The following citizens spoke during Public Comment: None.

*Mayor Moreno closed the Public Comment period.*

#### **ADJOURNMENT:**

Mayor Moreno adjourned the Special Meeting at 6:40 p.m. to the next Regular Session on May 9, 2023.

#### **MINUTES PREPARED BY:**

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Dillon Dean James  
Deputy City Clerk

#### **APPROVED:**





# ***Atascadero City Council***

## ***Staff Report – Administrative Services Department***

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### **Apple Valley Assessment Districts**

#### **RECOMMENDATIONS:**

Council:

1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024; and
2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley); and
3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) in fiscal year 2023/2024, and to appoint a time and place for the public hearing on these matters; and
4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code; and
5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024; and
6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024.

#### **REPORT-IN-BRIEF:**

The City Council formed and began assessing Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) in 2005. This district was formed to provide funding for future routine maintenance of the streets, storm drains and sidewalks in the Apple Valley subdivision.

The City Council also formed and began assessing Atascadero Landscape and Lighting Maintenance District No. 01 (Apple Valley) in 2005. This district was formed to provide for funding and maintenance of street trees, open space, park area, medians, walkways, paths and other landscape and lighting improvements within the Apple Valley subdivision.

NBS, an independent financial consultant, was hired to prepare the engineer’s report for the two districts. The engineer’s report and the levies must be approved by Council annually. This is done in a two-step process. Tonight, there are three resolutions for each district (a total of 6 resolutions in all) that must be passed in order to continue the assessments within the districts. The resolutions passed tonight will also establish the date and time for the public hearing. The public hearing is tentatively scheduled for June 13, 2023 at 6:00 p.m., at which time the final resolutions will be presented to the Council for consideration.

The proposed assessments for fiscal year 2023/2024 are less than the Maximum Assessment Rate. In accordance with the formula voters of the district adopted in 2005, the Maximum Assessment Rate may be increased for inflation by the greater of the Consumer Price Index (CPI) or 3.0%. The Maximum Assessment Rate was increased 5.3% (CPI) this year for both districts.

An Assessment Information Notice was mailed to all property owners on April 12, 2023. The notice provided the date of the upcoming June 13, 2023, Public Hearing, information on how to participate in the meeting, staff contact information, the proposed and current levies for both districts.

Staff has reviewed the short and long-term costs to maintain the districts and recommends the total cost of both districts of \$1,450 remains flat when compared to the prior year. The Landscaping and Lighting District levy is about 46% of the allowable maximum annual assessment and the Street and Storm Drain District is about 61% of the allowable maximum annual assessment.

District	Amount Per EBU Assessment Fiscal Year 2022-23	Amount Per EBU Proposed Assessment Fiscal Year 2023-24
Atascadero Street and Storm Drain Maintenance District No. 01 Apple Valley	\$ 550.00	\$ 550.00
Atascadero Landscaping and Lighting Maintenance District No. 01 Apple Valley	\$ 900.00	\$ 900.00

The levies for fiscal year 2023/2024 are proposed with no increases and reserves are sufficient for now; however, staff predicts that the Landscape and Lighting District will likely see future increased costs due to the aging landscape, increases in utilities (water and electricity), and increases in labor costs for the landscape maintenance contractor. City staff works to maximize efficiencies and minimize levy increases. However, modest

levy increases are expected in future years in order to continue providing the existing service levels.

## **FISCAL IMPACT:**

Annual assessments for 2023/2024 will total \$38,500 for road/drainage system maintenance and \$63,000 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in Apple Valley. Contributions of \$11,000 for half the cost of the park will be made from the City's General Fund, and an equal revenue source will be recognized from contributions made by the developer.

## **ATTACHMENTS:**

1. **Draft Resolution A** - initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024
2. **Draft Resolution B** - accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley)
3. **Draft Resolution C** - declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) in fiscal year 2023/2024, and to appoint a time and place for the public hearing on these matters
4. **Engineer's Annual Levy Report** - for the levy and collection of fiscal year 2023/2024 assessments for Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley)
5. **Draft Resolution D** - initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code
6. **Draft Resolution E** - preliminary approval of the Annual Engineer's Levy Report for Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024
7. **Draft Resolution F** - declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) for fiscal year 2023/2024
8. **Engineer's Annual Levy Report** - for the levy and collection of fiscal year 2023/2024 assessments for Atascadero Landscaping and Lighting District No. 01 (Apple Valley)

**DRAFT RESOLUTION A**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, INITIATING PROCEEDINGS FOR  
THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR  
ATASCADERO STREET AND STORM DRAIN MAINTENANCE  
DISTRICT NO. 01 (APPLE VALLEY) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”) formed an assessment district to be designated as Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) (hereafter referred to as the “District”), for the purpose of funding the ongoing operation, maintenance and servicing of public streets, sidewalks, storm drain and flood control facilities installed in conjunction with the development of properties known as Apple Valley Tract 2495; and to levy and collect annual assessments related thereto. The 1982 Act provides for the formation of such an assessment district pursuant to *Article 3 Section 54710*, and provides for the levy and collection of assessments by the County on behalf of the City pursuant to *Article 4 Section 54718*; and

**WHEREAS**, the City Council has retained NBS as the Engineer of Work, for the purpose of assisting with the administration of the District, the establishment of annual assessments, and to prepare and file an Engineer’s Report with the City Clerk in accordance with the 1982 Act; and in accordance with the requirements of the *California Constitution, Articles XIIC and XIID*.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The City Council hereby orders the Engineer to prepare and file an Engineer’s Annual Levy Report concerning the levy of assessments for properties within the District as specified by *Article 4 Section 54716* of the 1982 Act.

**SECTION 2.** The District improvements include the ongoing operation, administration, maintenance and servicing of the public streets, drainage and flood control systems and appurtenant facilities authorized pursuant to the 1982 Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to pavement, curbs, sidewalks, hardscape, bridges, fencing, signage, drains, pipes, inlets, outlets, catch basins, drainage basins, manholes, and associated appurtenant facilities located within the public street right-of-ways and other public easements within the District, and dedicated to the City of Atascadero for such maintenance.

**SECTION 3.** The territory within Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) consists of lots, parcels and subdivisions of land located in the development known as Apple Valley Tract 2495.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION B**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, ACCEPTING AND PRELIMINARILY  
APPROVING THE ENGINEER’S ANNUAL LEVY REPORT REGARDING  
THE ATASCADERO STREET AND STORM DRAIN MAINTENANCE  
DISTRICT NO. 01 (APPLE VALLEY)**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council has, by previous Resolution, ordered the preparation of an Engineer’s Annual Levy Report (hereafter referred to as the “Report”) regarding the assessment district to be designated as the Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) (hereafter referred to as the “District”), and the levy and collection of assessments related thereto, pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”); and

**WHEREAS**, there has now been presented to this City Council the Report as specified by *Article 4 Section 54716* of said 1982 Act; and

**WHEREAS**, the City Council has carefully examined and reviewed the Report as presented, and is preliminarily satisfied with the District and the budget items and documents as set forth therein, and is satisfied that the proposed assessments have been spread in accordance with the special benefits received from the improvements, operation, administration, maintenance and services to be performed within the District, as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The preceding recitals are true and correct.

**SECTION 2.** That the Report as presented, consists of the following:

- a. A Description of Improvements.
- b. A Boundary Diagram of the District.
- c. The Method of Apportionment that details the method of calculating each parcel’s proportional special benefits and annual assessment.
- d. The proposed Budget (Costs and Expenses) and the duration and collection of assessments.
- e. The District Roll containing the Levy for each Assessor Parcel Number within the District for fiscal year 2023/2024.

**SECTION 3.** The Report is hereby approved on a preliminary basis, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** The Maximum Assessment described in the Report is hereby approved on a preliminary basis.

**SECTION 5.** The City Clerk shall certify to the passage and adoption of this Resolution, and the Minutes of this meeting shall so reflect the presentation of the Report.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION C**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS WITHIN ATASCADERO STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 01 (APPLE VALLEY) IN FISCAL YEAR 2023/2024, AND TO APPOINT A TIME AND PLACE FOR THE PUBLIC HEARING ON THESE MATTERS**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”) did by previous Resolution approve the levy and collection of annual assessments to pay for the operation, maintenance and servicing of public streets, drainage and flood control systems and appurtenant facilities related thereto for the assessment district designated as Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) (hereafter referred to as the “District”); and

**WHEREAS**, the Engineer selected by the City Council has prepared and filed with the City Clerk a Report in connection with the proposed District, and the levy of assessments for Fiscal Year 2023/2024 (July 1, 2023 and ending June 30, 2024) in accordance with *Chapter 1, Article 4* of the 1982 Act and in accordance with the requirements of the *California Constitution, Articles XIIC and XIID*, and the City Council did by previous Resolution preliminarily approve such Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The City Council hereby declares its intention to seek the annual levy of the District pursuant to the 1982 Act, over and including the land within the District boundary, and to levy and collect special benefit assessments on parcels of land within the District to pay for the costs and expenses associated with the operation, maintenance, repair and servicing of public streets, drainage and flood control systems and appurtenant facilities related thereto.

**SECTION 2.** The District improvements include the ongoing operation, administration, maintenance and servicing of the public streets, drainage and flood control systems and appurtenant facilities authorized pursuant to the 1982 Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to pavement, curbs, sidewalks, hardscape, bridges, fencing, signage, drains, pipes, inlets, outlets, catch basins, drainage basins, manholes, and associated appurtenant facilities located within the public street right-of-ways and other public easements within the District, and dedicated to the City of Atascadero for such maintenance. The Engineer’s Report, as ordered by previous Resolution, provides a full and complete description of the improvements within the District.



**SECTION 3.** The proposed territory within Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) consists of lots, parcels and subdivisions of land located in the development known as Apple Valley Tract 2495.

**SECTION 4.** The proposed assessments for the District are outlined in the Engineer’s Report. The Report details the proposed assessments necessary to provide for the annual operation, administration, services and maintenance of the improvements described in Section 2 of this Resolution.

**SECTION 5.** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday, June 13, 2023, at 6:00 p.m. or as soon thereafter as feasible in the regular meeting chambers of the City Council located at 6500 Palma Avenue, Atascadero, California. At the Public Hearing, all interested persons shall be given an opportunity to hear and be heard on the proposed assessment to be levied for fiscal year 2023/2024 as contained in the Engineer’s Report on file in the City Clerk’s Office.

**SECTION 6.** The City Clerk shall give notice of the filing of the report and the time and place of the Public Hearing by publishing in a local newspaper one time at least 10 days prior to the Public Hearing.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

# CITY OF ATASCADERO

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*Fiscal Year 2023/24 Engineer's Report*

## Street and Storm Drain Maintenance District No. 01 (Apple Valley)

May 2023

Prepared by:



[nbsgov.com](http://nbsgov.com)

**CITY OF ATASCADERO**  
**Street and Storm Drain Maintenance District No. 01**  
**(Apple Valley)**

**6500 Palma Avenue**  
**Atascadero, CA 93422**  
**Phone – (805) 461-5000**  
**Fax – (805) 461-7612**

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**CITY COUNCIL**

Heather Moreno, Mayor

Susan Funk, Mayor Pro Tem

Charles Bourbeau, Council Member

Mark Dariz, Council Member

Heather Newsom, Council Member

**AGENCY STAFF**

Rachelle Rickard, City Manager

Jeri Rangel, Administrative Services Director

Cindy Chavez, Deputy Director of Administrative Services

**NBS**

Tim Seufert, Client Services Director

Adina McCargo, Project Manager

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# 1. ENGINEER’S LETTER

**WHEREAS**, on March 24, 2005 by Resolution No. 2005-042, the City Council of the City of Atascadero (the “City”), State of California, in accordance with and pursuant to the provisions of the Benefit Assessment Act of 1982, being Chapter 6.4 of the California Government Code, commencing with Section 54703 (hereafter referred to as the “1982 Act”), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIID (hereafter referred to as the “California Constitution”), established the City of Atascadero Street and Storm Drain Maintenance District No. 01 (Apple Valley) (the “District”); and

**WHEREAS**, on May 9, 2023, the City Council, adopted its Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer’s Report for the District; and

**WHEREAS**, the Resolution Initiating Proceedings directed NBS to prepare and file a report describing the general nature, location, and extent of the improvements to be maintained; an estimate of the costs of the maintenance, operations, and servicing of the improvements for the District for the referenced fiscal year; a diagram for the District, showing the area and properties to be assessed; and an assessment of the estimated costs of the administration, maintenance, operations, and servicing the improvements, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received.

**NOW THEREFORE**, the assessments as detailed in this Engineer’s Report and as summarized in the table below are made to cover the portion of the estimated costs of maintenance, operation and servicing of the improvements to be paid by the assessable real property within the District in proportion to the special benefit received. The following table summarizes the proposed assessment for Fiscal Year 2023/24:

**FY 2023/24 Summary of Assessment**

Description	Amount
Estimated Annual Costs	\$36,980
Capital Reserve Collection/(Uses)	24,090
Levy Adjustments	(22,570)
<b>Balance to Levy</b>	<b>\$38,500</b>
Fiscal Year 2023/24 Maximum Rate	\$899.70
Fiscal Year 2023/24 Proposed Applied Rate	\$550.00

I, the undersigned, respectfully submit the enclosed Engineer’s Report and, to the best of my knowledge, information, and belief, the Engineer’s Report, Assessments, and the Assessment Diagram herein have been prepared, computed, and levied in accordance with the assessment methodology adopted, approved, and ordered by the City Council of the City of Atascadero and the 1982 Act.

\_\_\_\_\_  
 City Engineer

## 2. EXECUTIVE SUMMARY

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Pursuant to the provisions of the *Benefit Assessment Act of 1982, being Chapter 6.4 of the California Government Code, commencing with Section 54703* (hereafter referred to as the “1982 Act”), and in compliance with the substantive and procedural requirements of the *California State Constitution Article XIII D* (hereafter referred to as the “California Constitution”), the City Council of the City of Atascadero, County of San Luis Obispo, State of California (hereafter referred to as “City”), proposed to form and levy special benefit assessments for the district designated as:

### ***Street and Storm Drain Maintenance District No. 01 (Apple Valley)***

(hereafter referred to as the “District”), which includes the lots and parcels of land within the residential subdivision known as Apple Valley, Tract 2495 within the City limits of the City. This Engineer’s Report (hereafter referred to as the “Report”) has been prepared in connection with the levy and collection of annual assessments related thereto for Fiscal Year 2023/24.

The City Council formed the District and provided for the levy and collection of annual assessments on the County tax rolls to provide ongoing funding for the costs and expenses required to service and maintain the street and storm drain improvements and facilities associated with and resulting from the development of properties within the District. The improvements to be provided by the District and the assessments described herein are made pursuant to the 1982 Act and the substantive and procedural provisions of the California Constitution.

This Report describes the District, the improvements, and the proposed assessments to be levied against properties in connection with the special benefits the properties will receive from the maintenance and servicing of the District improvements and facilities. The annual assessments described herein will provide a funding source for the continued operation and maintenance of streets, storm drain system, and appurtenant facilities installed in connection with the development of properties within the District.

The improvements and assessments described in this Report are based on the development of properties within the District and represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to maintain and service the streets and storm drain system that provides special benefits to properties within the District. The structure of the District (organization), the improvements, the method of apportionment, and assessments described herein are based on current development plans and specifications for Tract 2495; and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the San Luis Obispo County Assessor’s Office. The San Luis Obispo County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers to identify properties to be assessed on the tax roll for the special benefit assessments.

As part of this District’s formation, the City conducted a Property Owner Protest Ballot proceeding for the proposed levy of a new assessment pursuant to the provisions of the *California Constitution, Article XIII D Section 4*. In conjunction with this ballot proceeding, the City Council conducted a noticed public hearing to

consider public testimonies, comments, and written protests regarding the formation of the District and levy of assessments. Upon conclusion of the public hearing, property owner protest ballots received were opened and tabulated to determine whether majority protest existed (ballots were weighted based on assessment amounts), and by resolution the City Council confirmed the results of the ballot tabulation. The tabulation of the ballots indicated that majority protest did not exist for the proposed assessments and the assessment range formula presented and described herein; therefore, the City Council approved the Report (as submitted or amended), ordered the formation of the District, and approved the levy and collection of assessments. The assessments for Fiscal Year 2005/2006 were submitted to the San Luis Obispo County Auditor/Controller for inclusion on the property tax roll for each parcel.

Each subsequent fiscal year, a Report shall be prepared and presented to the City Council describing any changes to the improvements, proposed services, the annual budget or assessments for that fiscal year and the City Council may hold a noticed public hearing regarding these matters prior to approving and ordering the proposed levy of assessments. If the proposed assessments for the District exceed the maximum assessment described herein (as approved by the property owners), the new or increased assessment must be confirmed through another property owner protest ballot proceeding before such an assessment may be imposed. It should be noted that an increased assessment to an individual property resulting from changes in development or land use does not constitute an increased assessment.

## 3. PLANS AND SPECIFICATIONS

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### 3.1 Benefiting Properties within the District

The territory within the District consists of the lots, parcels, and subdivisions of land within the proposed residential subdivision known as the Apple Valley, Tract 2495, which encompasses an area of land totaling approximately twenty-eight acres (27.71 acres).

This residential subdivision includes seventy (70) single-family residential homes. The subdivision is situated in the northern portion of the City just southwest of Highway 101 and is generally located:

- South of Del Rio Road;
- North of Conejo Road;
- West of Ramona Road; and,
- East of Graves Creek.

### 3.2 Funding Authorized by the 1982 Act

As generally defined by the 1982 Act and applicable to this District, the City may impose a benefit assessment to finance the maintenance and operation costs of the following services:

- Drainage and Flood Control;
- Streets and Roads.

In addition to imposing a benefit assessment for the annual maintenance and operation of the District improvements, the City may also authorize an assessment or utilize existing assessment revenues to finance the installation, construction, or replacement of drainage and flood control facilities as well as the street and road improvements (with some limitations). While such activities are permitted under the 1982 Act, the budget and assessments for this District only provide for normal maintenance and operation of the improvements. Since most major rehabilitation/construction projects result from unforeseen damages, the extent and cost of such projects are not easily predicted and to accumulate funds as part of the normal annual assessments would not be reasonable. If such funding becomes necessary, the City may present a new or increased assessment to the property owners to support the projects.

### 3.3 Description of Improvements and Services

The purpose of this District is to fund the activities necessary to maintain and service the local streets and the drainage and flood control systems constructed and installed in connection with development of properties within the residential subdivision known as Apple Valley, Tract 2495 pursuant to approved development plans and agreements. The improvements may consist of all or a portion of the public streets, drainage and flood control facilities associated with Tract 2495 and the maintenance of these improvements may include but are not limited to the materials, equipment, labor, and incidental expenses deemed necessary to keep these improvements in satisfactory condition.



The maintenance of the improvements and related activities shall be funded entirely or partially through the District assessments. The District improvements and services are generally described as:

- Street maintenance that may include but is not limited to the repair and servicing of street surfaces, curbs, gutters, bridges, driveway approaches, sidewalks, barricades, delineation, signage, or other facilities within the public street rights-of-way installed in connection with the development of properties in Tract 2495 and that have been dedicated to the City;
- Storm drain and flood control maintenance that may include but is not limited to inspection, repair and servicing of drainage basins, inlets, catch basins, manholes, outlets, drywells, pumps, filters, and storm drain pipes installed in connection with the development of properties of Tract 2495 as well as any off-site improvements and facilities directly associated with the aforementioned infrastructure that is deemed necessary to service or protect the properties including waste water treatment;
- The appurtenant, equipment, materials, and service contracts related to the aforementioned improvements and facilities;
- Specifically excluded are those improvements or facilities: located on private property or common areas; that may be provided or maintained by an agency other than the City; that may be provided by another assessment or tax levied by the City; or that may be provided and maintained by a Homeowner's Association or similar entity.

Detailed maps and descriptions of the location and extent of the specific improvements to be maintained by the District are on file in the Office of Public Works and by reference are made part of this Report. Those portions of the District improvements that may be identified as general benefit or will be funded in whole or in part by other revenue sources as part of the approved development agreements, will not be included as part of the District assessments. The net annual cost to provide and maintain the improvements determined to be of special benefit shall be allocated to each property in proportion to the special benefits received.

### 3.3.1 STREET MAINTENANCE

The street maintenance program may include but is not limited to: the repair of potholes, cracks, or other failures in the asphalt surface; repair or replacement of curbs, gutters, driveway approaches, and sidewalks as required as part of maintaining the streets; repair or installation of street signs, barricades, fencing, or other delineation; mechanized sweeping and cleaning of the streets and gutters; slurry sealing, overlays, and re-striping of the street surfaces. The specific activities and timing of various street and road maintenance services shall be determined by the City's Public Works Department as necessary to extend the life of the streets or to improve traffic circulation and safety as available funding permits. Specifically, the street improvements for this District are identified as:

- Approximately 106,460 square feet of asphalt street surface located on the perimeter of the development (south half of Del Rio Road); and the various interior streets identified as Via Colonia Court, San Ramon Road, Via Huerto Court, Avenida Manzana, and San Ramon Road.

- Approximately 5,320 linear feet of curb and gutter along Del Rio Road, Via Colonia Court, San Ramon Road, Via Huerto Court, Avenida Manzana, San Ramon Road, and Conejo Road;
- Approximately 3,545 square feet of decorative street pavers and 1,254 linear feet of curb and gutter in and around the two median islands on San Ramon Road (entryways to the development at Del Rio Road and Conejo Road);
- Approximately 70 driveway approaches, 25,394 square feet of sidewalks and various street signs within the District;
- Specifically, not included as part of the street maintenance program are the costs associated with major replacements or reconstruction. Although the District assessments will provide funding for regular maintenance and servicing of the improvements that will extend the useful life of the street improvements, the assessments are not intended to fund major replacements or reconstruction of the street surfaces or adjacent improvements such as curbs, gutters, or driveway approaches. The costs of extensive replacement or reconstruction activities such as grinding and resurfacing of the asphalt; and replacement of curbs, gutters, driveway approaches, and sidewalks is significantly more than the amount that can reasonably be collected annually under the provisions of the 1982 Act. When such repairs or activities are deemed necessary, the City will consider various financing options including new or increased assessments for property owner approval.

The Public Works Department shall authorize the operational activities and maintenance of the public street and right-of-way improvements, facilities, and services that may include, but are not limited to:

- Regular street sweeping services necessary to control dirt and debris on street surfaces and gutters;
- Annual inspection of street surface and repair of potholes and surface cracks as needed;
- Periodic slurry or overly of street surfaces and driveway approaches (typically one or the other once every five years);
- Periodic re-stripping of traffic lanes, bike lanes, street parking areas, crosswalks, and intersections (typically in conjunction with slurry or overly activities);
- Graffiti abatement of public improvements within the street rights-of-way that are maintained by the District including but not limited to sandblasting, repainting and repair of fences, walls, barricades, sidewalks, and signage as needed;
- Annual inspection and periodic repair or replacement of decorative street- pavers as needed;
- Annual inspection and minor repairs of curbs, gutters, driveway approaches, and sidewalks including partial segment replacements as needed to ensure pedestrian and vehicle safety or the integrity of the street;
- Annual inspection and periodic repair or rehabilitation of street signs and traffic control devices;
- Annual inspection and repair of barricades, street-fencing, delineation or retaining walls within the street rights-of-way as needed.

A portion of the services described above are not performed on an annual basis but rather on a periodic basis, such as slurry sealing or overlaying the asphalt streets, and the funds necessary for these activities are collected in installments as part of the annual assessments. The monies collected each year for these services will be accumulated in a special fund of the District (Reserve Fund or Capital Improvement Fund). The monies accumulated for these activities shall be spent when sufficient funds have been accumulated to perform the services deemed necessary by the City (approximately every five years). This process of accumulating funds (installments) shall continue until such time the District is dissolved; or the City determines that such funding procedures require modification. Changes in the process of accumulating funds that would result in an increase to the annual assessment rate must be presented to the property owners for approval prior to imposing such an increase.

### **3.3.2 STORM DRAIN AND FLOOD CONTROL MAINTENANCE**

The storm drain and flood control system associated with the District may include but is not limited to: drainage basins and bio-filters; channel ways; storm drain inlets, catch basins, manholes, outlets; drywells, pumps, filters and pipes. The storm drain system to be maintained primarily involves on-site facilities (within the District boundaries) but may also include off-site improvements such as water treatment equipment, facilities or services mandated or required by Federal, State, or County regulations for water pollution control. The annual assessments for this District are intended to support a storm drain and flood control maintenance program that will adequately regulate and control storm water runoff resulting from the development of properties within the District. This maintenance program may include but is not limited to: inspection and documentation of the system; cleaning, servicing, or repair of the facilities and equipment; and the partial replacement or rehabilitation of equipment and facilities. The storm drain and flood control system includes but is not limited to:

- Approximately 30,050 square feet of drainage basin area;
- Twenty-eight (28) inlets, outlets, and manholes located throughout Tract 2495;
- Approximately 2,100 linear feet of storm drain pipe ranging from 18 inches to 42 inches in diameter.

The Public Works Department shall authorize and schedule the operational activities and maintenance of the storm drain and storm water pollution treatment infrastructure, facilities, and services that may include, but are not limited to:

- Cleaning of storm drain inlets, catch basins, manholes, and pipes as needed;
- Stencil maintenance and documentation of facilities as required by Federal, State, or County regulations;
- Cleaning and landscape maintenance of the drainage basins, bio-filter areas or channel ways as needed;
- Debris removal and pest control in and around the storm drain facilities as needed;
- Minor repairs and maintenance of the storm drain inlets, catch basins, and outlets as needed;
- Street sweeping services necessary to control debris and water flow for the storm drain system; and,

- The operational costs related to NPDES compliance requirements.

A portion of the services described above are not performed on an annual basis but rather on a periodic basis such as minor repairs to the storm drain inlets, catch basins, and outlets, and the funds necessary for these activities are collected in installments as part of the annual assessments. The monies collected each year for these services will be accumulated in a special fund of the District (Reserve Fund or Capital Improvement Fund). The monies accumulated for these activities shall be spent as needed to perform the services deemed necessary by the City. This process of accumulating funds (installments) shall continue until such time the District is dissolved; or the City determines that such funding procedures require modification. Changes in the process of accumulating funds that would result in an increase to the annual assessment rate must be presented to the property owners for approval prior to imposing such an increase.

## 4. ESTIMATE OF COSTS

Budget	2023/2024 Assessment
<b>DIRECT COSTS</b>	
<b>Streets, Roads &amp; Storm Drain Improvements</b>	
Street Maintenance	\$8,350
Inspection & Operational Services - Roads, Drainage	7,770
Traffic Sign Replacement	15,000
<b>Total Annual Direct Costs</b>	<b>\$31,120</b>
<b>ADMINISTRATION EXPENSES</b>	
City Annual Administration	\$1,890
Engineer's Report & Services	3,770
Public Noticing	200
<b>Total Annual Administration Costs</b>	<b>\$5,860</b>
<b>TOTAL DIRECT &amp; ADMINISTRATION COSTS</b>	<b>\$36,980</b>
<b>CAPITAL RESERVE COLLECTIONS/(USES)</b>	
Collection for Street Surface Activities	\$21,800
Collection Street Re-striping	80
Collection for Repair Activities: Curbs, Gutters, Approaches & Sidewalks	850
Collection for Debris Removal	380
Collection for Storm Drain Fencing	380
Collection for Storm Drain Infrastructure	600
<b>Total Annual Capital Reserve Collections/(Uses)</b>	<b>\$24,090</b>
<b>LEVY ADJUSTMENTS</b>	
Interest Income - Improvement Fund	(\$15,928)
Interest Income - Operating Reserve Fund	(422)
Reserve Fund Collection/(Use)	(6,220)
<b>Total Levy Adjustments</b>	<b>(\$22,570)</b>
<b>BALANCE TO LEVY</b>	<b>\$38,500</b>
<b>DISTRICT STATISTICS</b>	
Total Parcels	74
Parcels Levied	70
Total EBU <sup>(1)</sup>	70
<b>Levy per EBU</b>	<b>\$550.00</b>
Maximum Levy per EBU	\$899.70
<b>FUND BALANCE INFORMATION</b>	
Beginning Operating Reserve Balance	\$14,034
Operational Reserve Interest	422
Surplus Transfer from Improvement Fund	22,400
Operational Reserve Collection (Use)	(\$22,570)
<b>Estimated Ending Operating Reserve Balance</b>	<b>\$14,286</b>
Beginning Improvement Fund Balance	\$522,115
Improvement Fund Interest	15,928
Surplus Transfer to Operations Fund	(\$22,400)
Improvement Fund Collection/(Use)	24,090
<b>Estimated Ending Improvement Fund Balance</b>	<b>\$539,733</b>

<sup>(1)</sup> Levy per EBU rate does not include the County of San Luis Obispo fee of \$2.00 per parcel

## 5. METHOD OF ASSESSMENT

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### 5.1 General

The 1982 Act permits the establishment of assessment districts by agencies for the purpose of providing for the maintenance, operation, and servicing of drainage and flood control improvements as well as streets, roads, and appurtenant facilities. The 1982 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

*“The amount of the assessment imposed on any parcel of property shall be related to the benefit to the parcel which will be derived from the provision of the service”.*

Furthermore:

*“The annual aggregate amount of the assessment shall not exceed the estimated annual cost of providing the service, except that the legislative body may, by resolution, determine that the estimated cost of work authorized ... is greater than can be conveniently raised from a single annual assessment and order that the estimated cost shall be raised by an assessment levied and collected in installments.... The revenue derived from the assessment shall not be used to pay the cost of any service other than the service for which the assessment was levied.”*

The method of apportionment described in this Report for allocation of special benefit assessments utilizes commonly accepted engineering practices in compliance with the provisions of the 1982 Act and the California Constitution. The formulas used for calculating assessments reflects the composition of parcels within the District and the improvements and services provided, to fairly apportion the costs based on the special benefits to each parcel.

### 5.2 Benefit Analysis

Each of the proposed improvements and services, and the associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the 1982 Act and the California Constitution. The street and storm drain improvements associated with this District were necessary and essential requirements for the orderly development of the properties within the District to their full potential, consistent with the development plans and applicable portions of the City’s General Plan. As such the ongoing operation, servicing, and maintenance of those improvements would otherwise be the direct financial obligation of each individual property owner. Since each parcel to be assessed within the District could not have been developed in the absence of these improvements and facilities, each parcel has a direct investment in the proper maintenance of the improvements that is over and above any general benefits that may be conferred by such improvements and services.

The ongoing maintenance and servicing of the District improvements is an integral part of the appearance, use and preservation of the properties within the District and such services to be funded by annual assessments confer a particular and distinct special benefit to those parcels. The proper maintenance of streets and appurtenant facilities allows individual parcels to be used to their fullest extent by ensuring the safe and

efficient movement of people and goods to and from the benefiting properties. Likewise, the maintenance and servicing of the storm drain system ensures proper water flow and control of excess water during periods of rain, which is essential to preservation and protection of private property. Together the maintenance and servicing of the streets and storm drain system contributes to a specific enhancement of each of the parcels within the District and the absence of adequate maintenance and servicing of the District improvements could eventually have a negative impact on properties within the District.

Although the improvements may include public streets and storm drain facilities that connect to similar facilities outside the District boundaries, it is clear that the construction and installation of these improvements were only necessary for the development of properties within the District. As such, these improvements were not required nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been determined that the ongoing maintenance, servicing and operation of the District improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District. Any improvement or portion thereof (particularly off-site storm drain facilities) that may be considered general benefit shall be funded by other revenue sources and not included as part of the special benefit assessments allocated to properties within this District. However, the costs associated with installation or improvement of any off-site facilities that benefit the parcels within this District as well as other properties (shared benefit) may be allocated to the parcels within the District based on their proportional special benefit from such improvements.

### **5.3 Assessment Methodology**

The costs associated with the improvements and services shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with the California Constitution Article XIII D Section 4, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements.

The method of apportionment established for this District and described herein, reflects the proportional special benefit each property receives from the improvements and services based on the actual or proposed land use of that parcel as compared to other properties within the District based on similarities and differences in parcel land use.

#### **5.3.1 EQUIVALENT BENEFIT UNITS:**

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of the other properties within the District. The method of apportionment established for most districts formed under the 1982 Act utilizes a weighted method of apportionment known as an Equivalent Benefit Unit (EBU) methodology that uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Benefit Unit (EBU) and the other land uses are converted to a weighted EBU based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

Although the Equivalent Benefit Unit method of apportioning special benefit is most commonly used and

applied to districts that have a wide range of land use classifications (residential and non-residential use), this District is comprised of only residential properties and the following apportionment analysis of special benefit addresses only residential land uses. Not all land use types described in the following are necessarily applicable to the development of properties within this District, but are presented for comparison purposes to support the proportional special benefit applied to those land use types within the District.

### 5.3.2 EBU APPLICATION BY LAND USE:

- (1) Single-family Residential** — This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.0 EBU per lot or parcel. This is the base value that the other properties are compared and weighted against (i.e. Equivalent Benefit Unit “EBU”).
- (2) Multi-family Residential** — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property. (This land use typically includes apartments, duplexes, triplex etc., but does not generally include condominiums, town-homes or mobile-home parks). Based on average population densities and size of the structure as compared to a typical single-family residential unit, multi-family residential parcels shall be proportionately assessed for the parcel’s total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single-family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single-family residence (Sample Sources: Institute of Transportation Engineers Informational Report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Edition). These various studies indicate that most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases; the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by this District, an appropriate allocation of special benefit for multi-family residential properties as compared to a single-family residential property is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 50 units; 0.50 EBU per unit for units 51 through 100; and 0.25 EBU per unit for the remaining units.
- (3) Condominium/Town-home Units** — Condominiums and town-homes tend to share attributes of both single-family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single-family residential properties, these properties are not usually considered rental property and generally, the County assigns each unit a separate APN or assessment number. However, condominiums and town-homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors, it has been determined that an appropriate allocation of special benefit for condominiums, town-homes, and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to an APN. (There is no adjustment for parcels with more than five units).



- (4) **Planned-Residential Development** — This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the District. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionately for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out. (The EBU assigned to each parcel shall represent the combination of single-family, condominium, multi-family units to be developed).
- (5) **Vacant Residential** — This land use is defined as property currently zoned for residential development, but a tentative or final tract map for the property has not yet been approved. Based upon the opinions of professional appraisers who appraise market property values for real estate in California, the land value portion of a property typically ranges from 20 to 30 percent of the total value of a developed residential property (the average is about 25 percent). Although the assessed value of an individual property is not a direct reflection of the property's special benefit, this general correlation between land value and structure value does provide a reasonable basis for apportioning special benefit for vacant residential properties. Utilizing this twenty-five percent (25%) apportionment and the number of single-family residential units typically developed per acre of land (an average of 4 residential units per acre) an Equivalent Benefit Unit of 1.0 EBU per acre (4 units per acre x 25%) is derived and presents an appropriate apportionment of special benefit for vacant residential properties. Recognizing that the full and timely utilization of vacant property is reduced as the size of the property increases, it has been determined that the maximum EBU assigned to a vacant residential parcel shall not exceed 25.0 EBU (parcels in excess of 25 acres are assigned 25.0 EBU). Parcels less than one acre, shall be assigned a minimum of 1.0 EBU (similar to a vacant lot within a residential tract).
- (6) **Exempt Parcels** — This land use identifies properties that are not assessed and are assigned 0.0 EBU. This land use classification may include but is not limited to:
- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);
  - Dedicated public easements including open space areas, utility rights-of-way, greenbelts, parkways, parks, or other publicly owned properties that are part of the District improvements or may provide other benefits to private properties within the District.;
  - Private properties that cannot be developed independently from an adjacent property, such as common areas, sliver parcels, or bifurcated lots or properties with very restrictive development use.

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment, but shall be reviewed annually by the assessment engineer to confirm the parcels current development status. Government owned properties or public properties are not necessarily exempt properties and shall be subject to special benefit assessment unless it qualifies for an exempt status.

(7) **Special Cases** — In many districts where multiple land use classifications are involved, there are usually one or more properties for which the standard land use classifications do not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a Vacant Residential property, however only a small percentage of the parcel's total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel.

The following table provides a summary of land use classifications and the Equivalent Benefit Unit calculations previously outlined.

Property Type	Equivalent Benefit Units	Multiplier
Single-family Residential	1.00	Per Unit/Lot/Parcel
Multi-family Residential	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Condominium/Townhome Units	0.75	Per Unit
Planned Residential Development	1.00	Per Planned SF Residential Lot
	0.75	Per Planned Condominium
	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Vacant Residential Land	1.00	Per Acre
Exempt Parcels	0.00	Per Parcel

The following formula is used to calculate each parcel's EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acres or Units} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBU's) is the sum of the individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total number of EBU's of the parcels benefiting from the improvements. This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for the improvements.

$$\text{Total Balance to Levy} / \text{Total EBU} = \text{Levy per EBU}$$

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount}$$

## 5.4 Assessment Range Formula

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIIC and XIID), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District formation, the notice and assessment ballots presented to the property owners for approval included a maximum assessment amount for Fiscal Year 2005/2006 (initial maximum assessment), identification of the corresponding maximum assessment rate and a summary of the Assessment Range Formula described herein.

The Assessment Range Formula for this District shall be applied to the future assessments and is generally defined:

- If the proposed annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment Rate, then the proposed annual assessment is not considered an increased assessment.
- The Maximum Assessment Rate is equal to the (Initial) Maximum Assessment Rate established for Fiscal Year 2005/2006 adjusted annually by the greater of, three percent (3%) or the annual percentage change in the Consumer Price Index (CPI) of “All Urban Consumers” for the San Francisco-Oakland-San Jose Area from February to February. The Maximum Assessment rate was increased by 5.3024% for Fiscal Year 2023/24.

Beginning with Fiscal Year 2006/2007 and each fiscal year thereafter, the Maximum Assessment Rate has been recalculated and a new Maximum Assessment Rate established for the fiscal year utilizing the Assessment Range Formula described above. The Maximum Assessment Rate is calculated independent of the District’s annual budget and proposed assessment. The annual percentage change in CPI is based on available data provided by the U.S. Department of Labor; Bureau of Labor Statistics at the time the annual Report is prepared. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living. In January 2018, BLS introduced a new geographic area sample for the CPI. As part of the change the index for this area was renamed from San Francisco-Oakland-San Jose to San Francisco-Oakland-Hayward. The metropolitan area is comprised of Alameda, Contra Costa, Marin, San Francisco, San Mateo Counties in the State of California. This CPI will be used going forward.

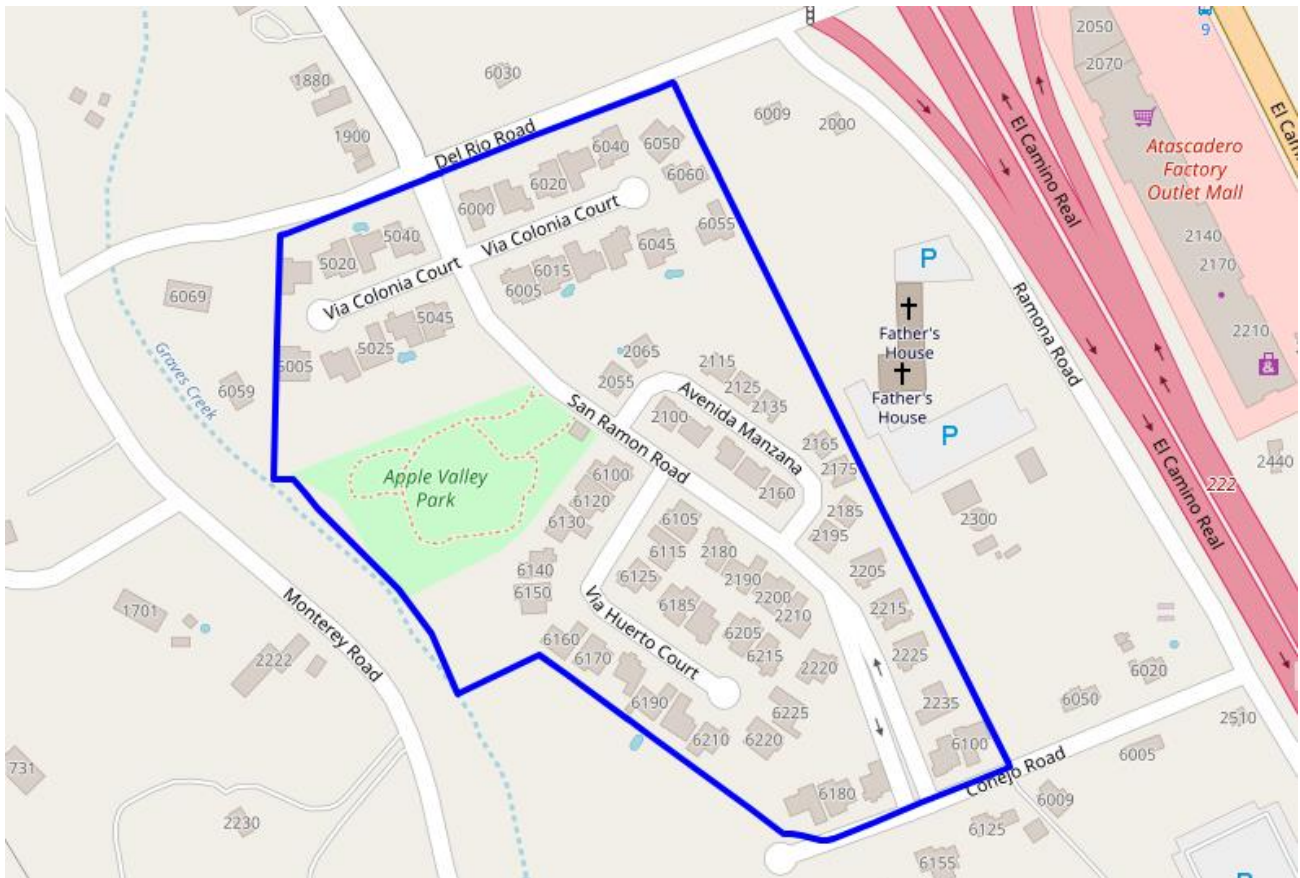
Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the method of apportionment that increase the proportional special benefit assigned to a particular land use classification would be considered an increased assessment. Conversely, reductions in the proportional special benefit assigned to a land use classification is permitted. Changes in land use or size of an individual property resulting in an assessment increase, are not considered an increased assessment.

To impose a new or increased assessment other than the annual inflationary adjustment provided by the preceding Assessment Range Formula, the City must comply with the provisions of the California Constitution Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve a proposed new or increased assessment before such an assessment may be imposed.

## 6. ASSESSMENT DIAGRAM

The parcels within the Street and Storm Drain Maintenance District No. 01 (Apple Valley) consist of the lots, parcels, and subdivisions of land located in the residential development known as Apple Valley, Tract 2495. The District covers approximately twenty-eight acres (27.71 acres) in the northern portion of the City of Atascadero.

The following map is based on the District Diagram, the San Luis Obispo County Assessor's Maps and the San Luis Obispo County Assessor's information and identifies the parcels of land within the proposed District, as the same existed at the time the District was formed. The combination of the District Diagram on file with the City Clerk and the Assessment Roll contained in this Report constitute the District Assessment Diagram.



## 7. ASSESSMENT ROLL

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Parcel identification for each lot or parcel within the District is based on the Assessment Diagram presented herein and is based on available parcel maps and property data from the San Luis Obispo County Assessor's Office at the time the Engineer's Report was prepared. A listing of the proposed lots and parcels to be assessed within this District along with the assessment amounts is provided herein.

Non-assessable lots or parcels may include but are not limited to public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas, rights-of-way, common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has little or no value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate described in this Report as approved by the City Council. Therefore, if a single assessor's parcel has a status change in development, other land use change, or subdivides into multiple assessor's parcels, the assessment amounts applied to each of the new assessor's parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment amount.

**City of Atascadero**  
**Street & Storm Drain Maintenance No. 1**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
049-192-001	6000 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-002	6010 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-003	6020 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-004	6030 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-005	6040 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-006	6050 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-007	6060 VIA COLONIA RD	SFR	1.0	899.71	550.00
049-192-008	6055 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-009	6045 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-010	6035 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-011	6025 VIA COLONIA RD	SFR	1.0	899.71	550.00
049-192-012	6015 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-013	6005 VIA COLONIA RD	SFR	1.0	899.71	550.00
049-192-014	5045 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-015	5035 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-016	5025 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-017	5015 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-018	5005 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-019	5010 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-020	5020 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-021	5030 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-192-022	5040 VIA COLONIA CT	SFR	1.0	899.71	550.00
049-193-001	6100 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-002	6120 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-003	6130 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-004	6140 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-005	6150 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-006	6160 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-007	6170 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-008	6180 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-010	6200 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-011	6210 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-012	6220 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-013	6225 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-014	6215 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-015	6205 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-016	6195 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-017	6185 VIA HUERTO RD	SFR	1.0	899.71	550.00
049-193-018	6125 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-019	6115 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-020	6105 VIA HUERTO CT	SFR	1.0	899.71	550.00
049-193-021	2180 SAN RAMON RD	SFR	1.0	899.71	550.00

Slight variances may occur due to rounding

**City of Atascadero**  
**Street & Storm Drain Maintenance No. 1**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
049-193-022	2190 SAN RAMON RD	SFR	1.0	899.71	550.00
049-193-023	2200 SAN RAMON RD	SFR	1.0	899.71	550.00
049-193-024	2210 SAN RAMON RD	SFR	1.0	899.71	550.00
049-193-025	2220 SAN RAMON RD	SFR	1.0	899.71	550.00
049-193-026	6190 CONEJO RD	SFR	1.0	899.71	550.00
049-193-027	6180 CONEJO RD	SFR	1.0	899.71	550.00
049-193-028	6160 CONEJO RD	SFR	1.0	899.71	550.00
049-193-029	6140 CONEJO RD	SFR	1.0	899.71	550.00
049-193-030	6100 CONEJO RD	SFR	1.0	899.71	550.00
049-193-031	2235 SAN RAMON RD	SFR	1.0	899.71	550.00
049-193-032	2225 SAN RAMON RD	SFR	1.0	899.71	550.00
049-193-033	2215 SAN RAMON RD	SFR	1.0	899.71	550.00
049-193-034	2205 SAN RAMON RD	SFR	1.0	899.71	550.00
049-193-035	2195 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-036	2185 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-037	2175 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-038	2165 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-039	2135 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-040	2125 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-041	2115 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-042	2065 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-043	2055 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-044	2100 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-045	2110 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-046	2140 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-047	2150 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-048	2160 AVENIDA MANZANA RD	SFR	1.0	899.71	550.00
049-193-051	6190 VIA HUERTO CT	SFR	1.0	899.71	550.00
<b>70 Accounts</b>			<b>70.0</b>	<b>62,979.47</b>	<b>38,500.00</b>
<b>70 Total Accounts</b>			<b>70.0</b>	<b>62,979.47</b>	<b>\$38,500.00</b>

Slight variances may occur due to rounding

**DRAFT RESOLUTION D**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE ATASCADERO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 01 (APPLE VALLEY) FOR FISCAL YEAR 2023/2024 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council has, by previous Resolutions, formed the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) (hereafter referred to as “District”) pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the “Act”) that provides for levy and collection of assessments by the County of San Luis Obispo for the City of Atascadero to pay the maintenance and services of lighting facilities, landscaping, and appurtenant facilities and operations related thereto; and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the City Council has retained NBS for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1. Engineer’s Annual Levy Report:** The City Council hereby orders NBS to prepare the Engineer’s Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622* of the Act.

**SECTION 2. Proposed Improvements and Any Substantial Changes in Existing Improvements:** The improvements within the District include the ongoing operation, administration, maintenance, servicing and incidental expenses related to the dedicated landscape areas, public street lighting and appurtenant facilities authorized pursuant to the Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or right-of-ways constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District. The Engineer's Annual Levy Report describes any new improvements or substantial changes in existing improvements.



**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION E**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, FOR PRELIMINARY APPROVAL OF  
THE ENGINEER’S ANNUAL LEVY REPORT FOR THE ATASCADERO  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 01  
(APPLE VALLEY) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) does resolve as follows:

**WHEREAS**, the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the “Report”) for the district known and designated as the Atascadero Landscaping and Lighting Maintenance District No. 01 (Apple Valley) (hereafter referred to as the “District”) pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the “Act”); and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the City Council has now been presented with the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and

**WHEREAS**, the City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the Report, each of the budget items and documents as set forth therein and is satisfied on a preliminary basis that the proposed assessments have been spread in accordance with the benefits received from the improvements, operation, maintenance, and services to be performed within each benefit zone as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** That the presented Report consists of the following:

- a. A Description of the Improvements
- b. The Annual Budget (Costs and Expenses of Services, Operation, and Maintenance)
- c. The Method of Apportionment that details the method of calculating each parcel’s proportional special benefits and annual assessment.
- d. The District Roll containing the proposed assessment for each parcel within the District for Fiscal Year 2023/2024.

**SECTION 3.** The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION F**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE ATASCADERO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 01 (APPLE VALLEY) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) does resolve as follows:

**WHEREAS**, The City Council has by previous Resolution initiated proceedings for fiscal year 2023/2024 regarding the levy and collection of assessments for the Atascadero Landscaping and Lighting District No. 01 (Apple Valley) (hereafter referred to as the “District”). Pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with section 22500)* (hereafter referred to as the “Act”), assessments for the District shall be levied and collected by the County of San Luis Obispo for the City of Atascadero to pay the maintenance and services of the improvements and facilities related thereto; and

**WHEREAS**, the proposed District assessments for fiscal year 2023/2024 are less than or equal to the maximum assessments previously approved in accordance with the requirements of the California Constitution, Article XIID; and

**WHEREAS**, there has now been presented to this City Council an Engineer’s Annual Levy Report (hereafter referred to as the “Engineer’s Report”), and said Engineer’s Report has been filed with the City Clerk in accordance with the Act; and

**WHEREAS**, the City Council has examined and reviewed the Engineer’s Report as presented and is satisfied with the Report, each of the budget items and documents as set forth therein and is satisfied that the proposed assessments contained therein, have been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed within the District, as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero, pursuant to Chapter 3, Section 22624 of the Act, as follows:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the Act, over and including the lands, lots and parcels within the District boundary. The City Council further declares its intention to levy and collect assessments on such land to pay the annual costs and expenses of the improvements and services described in Section 4 of this Resolution, for fiscal year 2023/2024.

**SECTION 3.** The boundaries of the District are described in the Engineer’s Report and are consistent with the boundary established and described in the original formation documents, on file with the City Clerk, and incorporated herein by reference. The District is within the boundaries of

the City of Atascadero, within the County of San Luis Obispo, State of California and includes the territory known as Apple Valley and referred to as the “Atascadero Landscaping and Lighting District No. 1”.

**SECTION 4.** The improvements within the District include the ongoing maintenance, operation and servicing of local landscaping and street lighting improvements established or installed in connection with development of properties within the District. These improvements generally include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or rights-of-way constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District.

**SECTION 5.** The proposed assessments for fiscal year 2023/2024, as outlined in the Engineer’s Report, do not exceed the maximum assessment approved by the property owners through a property owner balloting proceeding conducted in 2005. As such, the proposed assessments do not constitute an increased assessment and do not require additional property owner approval in accordance with the requirements of the California Constitution, Article XIID.

**SECTION 6.** The City Council hereby declares its intention to conduct a Public Hearing concerning the District and the levy of assessments in accordance with *Chapter 3, Section 22626* of the Act.

**SECTION 7.** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday, June 13, 2023, at 6:00 p.m., at the City Council Chambers, 6500 Palma Avenue, Atascadero, California or as soon thereafter as feasible. At the Public Hearing, all interested persons shall be given an opportunity to hear and be heard on the proposed assessment to be levied for fiscal year 2023/2024 as contained in the Engineer’s Report on file in the City Clerk’s Office.

**SECTION 8.** The City Clerk shall give notice of the time and place of the Public Hearing to all property owners within the District pursuant to Sections 22626, 22552 and 22553 of the Act and 6061 of the Government Code by publishing this Resolution of Intention in a local newspaper one time at least 10 days prior to the Public Hearing.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

# CITY OF ATASCADERO

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*Fiscal Year 2023/24 Engineer's Report For:*

**Landscaping and Lighting District**

**District No. 01 (Apple Valley)**

**May 2023**

Prepared by:



[nbsgov.com](http://nbsgov.com)

**CITY OF ATASCADERO**  
**Landscaping & Lighting District No. 01**  
**(Apple Valley)**

**6500 Palma Avenue**  
**Atascadero, CA 93422**  
**Phone – (805) 461-5000**  
**Fax – (805) 461-7612**

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**CITY COUNCIL**

Heather Moreno, Mayor

Susan Funk, Mayor Pro Tem

Charles Bourbeau, Council Member

Mark Dariz, Council Member

Heather Newsom, Council Member

**AGENCY STAFF**

Rachelle Rickard, City Manager

Jeri Rangel, Administrative Services Director

Cindy Chavez, Deputy Director of Administrative Services

**NBS**

Tim Seufert, Client Services Director

Adina McCargo, Project Manager

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# 1. ENGINEER’S LETTER

**WHEREAS**, on March 24, 2005 by Resolution No. 2005-045, the City Council of the City of Atascadero (the “City”), State of California, in accordance with and pursuant to the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500 (the “1972 Act”) established the City of Atascadero Landscaping and Lighting District No. 01 (Apple Valley) (the “District”); and

**WHEREAS**, on May 9, 2023, the City Council, under the 1972 Act, adopted its Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer’s Report for the District; and

**WHEREAS**, the Resolution Initiating Proceedings directed NBS to prepare and file a report describing the general nature, location, and extent of the improvements to be maintained; an estimate of the costs of the maintenance, operations, and servicing of the improvements for the District for the referenced fiscal year; a diagram for the District, showing the area and properties to be assessed; and an assessment of the estimated costs of the administration, maintenance, operations, and servicing the improvements, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received.

**NOW THEREFORE**, the assessments as detailed in this Engineer’s Report and as summarized in the table below are made to cover the portion of the estimated costs of maintenance, operation and servicing of the improvements to be paid by the assessable real property within the District in proportion to the special benefit received. The following table summarizes the proposed assessment for Fiscal Year 2023/24:

**FY 2023/24 Budget Summary**

Description	Total Costs	Costs Not Assessed	Proposed Assessment	Total Benefit Units	Maximum Rate	Proposed Rate Per BU
Annual Maintenance	\$87,790	(\$10,170)	\$77,620			
Special Annual Projects	3,000	0	3,000			
Administration	7,570	0	7,570			
Capital Reserve Collections/(Uses)	(10,509)	(650)	(11,159)			
Levy Adjustments	(24,851)	10,820	(14,031)			
<b>Total</b>	<b>\$63,000</b>	<b>\$0</b>	<b>\$63,000</b>	<b>70</b>	<b>\$1,966.13</b>	<b>\$900.00</b>

I, the undersigned, respectfully submit the enclosed Engineer’s Report and, to the best of my knowledge, information, and belief, the Engineer’s Report, Assessments, and the Assessment Diagram herein have been prepared, computed, and levied in accordance with the assessment methodology adopted, approved, and ordered by the City Council of the City of Atascadero and the 1972 Act.

\_\_\_\_\_  
 City Engineer

## 2. EXECUTIVE SUMMARY

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Pursuant to the provisions of the Landscaping and *Lighting Act of 1972*, being *Part 2 of Division 15* of the *California Streets and Highways Code*, commencing with *Section 22500* (hereafter referred to as the “1972 Act”), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIID (hereafter referred to as “Article XIID”), the City Council of the City of Atascadero, County of San Luis Obispo, State of California (hereafter referred to as “City”), executed the proceedings required for the establishment of the special benefit assessment district designated as:

### ***Landscaping and Lighting District No. 01 (Apple Valley)***

(hereafter referred to as the “District”), which includes the lots and parcels of land within the residential subdivision known as Apple Valley, Tract 2495 within the City limits of the City. This Engineer’s Report (hereafter referred to as the “Report”) has been prepared in connection with the levy and collection of annual assessments related thereto for Fiscal Year 2023/24, as required pursuant to Chapter 1, Article 4 of the 1972 Act.

The City Council formed the District, and provided for the levy and collection of annual assessments on the County tax rolls to provide ongoing funding for the costs and expenses required to service and maintain the landscaping and lighting improvements associated with and resulting from the development of properties within the District. The improvements to be provided by the District and the assessments described herein are made pursuant to the 1972 Act and the substantive and procedural provisions of Article XIID.

This Report describes the District, the improvements, and the proposed assessments to be levied against properties in connection with the special benefits the properties will receive from the maintenance and servicing of the District improvements. The annual assessments will provide a funding source for the continued operation and maintenance of public landscaping and lighting improvements installed in connection with the development of properties within the District.

The improvements and assessments described in this Report are based on the planned development of properties within the District and represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to maintain and service the improvements. The boundaries of the District, the proposed improvements, the method of apportionment, and assessments described herein are based on current development plans and specifications for Tract 2495; and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the San Luis Obispo County Assessor’s Office. The San Luis Obispo County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers to identify properties to be assessed on the tax roll for the special benefit assessments.

As part of the District formation, the City of Atascadero conducted a Property Owner Protest Ballot proceeding for the proposed levy of a new assessment pursuant to the provisions of the California Constitution, Article XIID Section 4. In conjunction with this ballot proceeding, the City Council conducted a noticed public hearing on May 24, 2005 to consider public testimonies, comments and written protests regarding the formation of the District and levy of assessments. Upon conclusion of the public hearing,

property owner protest ballots received were opened and tabulated to determine whether majority protest existed (ballots were weighted based on assessment amounts), and by resolution the City Council confirmed the results of the ballot tabulation. Tabulation of the ballots indicated that majority protest did not exist for the proposed assessments and the assessment range formula presented and described herein, the City Council approved the Report (as submitted or amended), ordered the formation of the District, and approved the levy and collection of assessments. The assessments for Fiscal Year 2005/2006 were submitted to the San Luis Obispo County Auditor/Controller for inclusion on the property tax roll for each parcel.

Each subsequent fiscal year, an Engineer's Report shall be prepared and presented to the City Council describing the District any changes to the District or improvements and the proposed budget and assessments for that fiscal year and the City Council shall hold a noticed public hearing regarding these matters prior to approving and ordering the proposed levy of assessments. If the proposed assessments for the District exceed the maximum assessment described herein (as approved by the property owners), the new or increased assessment must be confirmed through another property owner protest ballot proceeding before such an assessment may be imposed. It should be noted that an increased assessment to an individual property resulting from changes in development or land use does not constitute an increased assessment.

## 3. PLANS AND SPECIFICATIONS

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### 3.1 Description of the District

The territory within the District consists of the lots, parcels and subdivisions of land within the proposed residential subdivision known as the Apple Valley, Tract 2495, which encompasses an area of land totaling approximately twenty-eight acres (27.71 acres).

This residential subdivision includes seventy (70) single-family residential homes. The subdivision is situated in the northern portion of the City of Atascadero just southwest of Highway 101 and is generally located:

- South of Del Rio Road;
- North of Conejo Road;
- West of Ramona Road; and,
- East of Graves Creek

### 3.2 Improvements and Services Authorized by the 1972 Act

As generally defined by the 1972 Act and applicable to this District, the improvements and associated assessments may include one or more of the following:

- 1) The installation or planting of landscaping;
- 2) The installation or construction of statuary, fountains, and other ornamental structures and facilities;
- 3) The installation or construction of public lighting facilities including, but not limited to street lights and traffic signals;
- 4) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof;
- 5) The installation of park or recreational improvements, including, but not limited to, all of the following:
  - a) Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
  - b) Lights, playground equipment, play courts, and public restrooms.
- 6) The acquisition of land for park, recreational, or open-space purposes or any existing improvement otherwise authorized pursuant to this section.
- 7) The maintenance or servicing, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement including but not limited to:
  - a) Repair, removal, or replacement of all or any part of any improvements;
  - b) Grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
  - c) Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;

- d) The removal of trimmings, rubbish, debris, and other solid waste;
  - e) The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
  - f) Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements;
  - g) Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.
- 8) Incidental expenses associated with the improvements including, but not limited to:
- a) The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
  - b) The costs of printing, advertising, and the publishing, posting and mailing of notices;
  - c) Compensation payable to the County for collection of assessments;
  - d) Compensation of any engineer or attorney employed to render services;
  - e) Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
  - f) Costs associated with any elections held for the approval of a new or increased assessment.

### 3.3 Description of Improvements and Services

The purpose of this District is to ensure the ongoing maintenance, operation and servicing of local landscaping and street lighting improvements established or installed in connection with development of properties within the District. The improvements may consist of all or a portion of the public landscaped areas, street lighting and appurtenant facilities within and adjacent to the District (Tract 2495). These improvements generally include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or rights-of-way constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District. The improvements to be maintained and funded entirely or partially through the District assessments are generally described as:

- Streetscape landscaping including street trees located on the perimeter of the development and interior streets of Tract 2495 that are within the public rights-of-way or easements and dedicated to the City for maintenance;
- Open space areas and fuel modification areas within or adjacent to the District boundaries;
- Park areas, recreational equipment, trails and landscaped drainage facilities developed and constructed as part of developing properties within Tract 2495;
- Public lighting facilities including street lighting, safety lighting and ornamental lighting installed as part of the residential development or landscaped improvement areas;
- Appurtenant facilities, equipment, materials and utilities related to the aforementioned improvements;
- Specifically not included as District improvements are those improvements located on private property, improvements and facilities that may be provided or maintained by an agency other than the City; improvements and facilities that may be provide by another assessment or tax

levied by the City or any improvement provided and maintained by a Homeowner's Association or similar entity.

Detailed maps and descriptions of the location and extent of the specific improvements to be maintained by the District are on file in the Office of Public Works and by reference are made part of this Report. Those portions of the District improvements that may be identified as general benefit or will be funded in whole or in part by other revenue sources as part of the approved development agreements, will not be included as part of the District assessments. The net annual cost to provide and maintain the improvements determined to be of special benefit shall be allocated to each property in proportion to the special benefits received.

### 3.3.1 LANDSCAPE IMPROVEMENTS

The landscape improvements for the District may include, but are not limited to turf, ground cover, shrubs and plants, trees, irrigation and drainage systems, ornamental lighting, masonry walls or other fencing, hardscape improvements, monuments, and associated appurtenant facilities located within the landscape easements or public rights-of-way. Specifically the landscape improvement areas for this District are identified as:

- Approximately 30,580 square feet of streetscape (parkway) landscaping within the public rights-of-way located on the perimeter of the development (south side of Del Rio Road); and along various locations of the interior streets including Via Colonia Court, San Ramon Road, Via Huerto Court, Avenida Manzana, and San Ramon Road.
- Approximately 108 street trees located along Del Rio Road, Via Colonia Court, San Ramon Road, Via Huerto Court, Avenida Manzana, San Ramon Road and Conejo Road;
- Approximately 12,541 square feet of landscaping and trees within the median islands on San Ramon Road located at the two entryways to the development (Del Rio Road and Conejo Road);
- Approximately 106,460 square feet of non-irrigated open space area within the District;
- Approximately 109,837 square feet of irrigated park and open space areas within the boundaries of the District including 56,647 square feet of turf; 40,335 square feet of irrigated open space; and 12,855 square feet of landscaped slopes within two drainage basins (6,690 and 6,165 square feet respectively); along with various trees and picnic areas;
- Approximately 10,320 square feet of paths and trails, 25,394 square feet sidewalks and 5,145 linear feet of fencing within and adjacent to the various landscape improvement areas.

### 3.3.2 PUBLIC LIGHTING IMPROVEMENTS

The lighting improvements may include but are not limited to the cost of providing electrical energy and servicing of lighting fixtures, poles, meters, conduits, electrical cable and associated appurtenant facilities associated with:

- Lighting facilities located within the landscaped areas including safety lights, security lights or ornamental lights installed as part of the District improvements.

## 4. ESTIMATE OF COSTS

BUDGET	Total Budget	Costs Not Assessed	2023/24 Assessment
<b>DIRECT COSTS</b>			
<b>Annual Costs</b>			
Landscape Services	\$47,500	(\$6,550)	\$40,950
Landscape Supplies	2,550	0	2,550
Landscape Utilities	14,480	(3,620)	10,860
City Landscape Services	7,260	0	7,260
Tree Trimming and Replacement	16,000	0	16,000
<b>Total Annual Direct Costs</b>	<b>87,790</b>	<b>(\$10,170)</b>	<b>\$77,620</b>
<b>CAPITAL EXPENDITURES</b>			
Special Projects	\$3,000	\$0	\$3,000
<b>Total Annual Special Projects</b>	<b>\$3,000</b>	<b>\$0</b>	<b>\$3,000</b>
<b>ADMINISTRATION EXPENSES</b>			
<b>Annual Administration Expenses</b>			
City Annual Administration	\$2,190	\$0	\$2,190
Engineer's Report & Services	4,880	0	4,880
Public Noticing	500	0	500
<b>Total Administration</b>	<b>\$7,570</b>	<b>\$0</b>	<b>\$7,570</b>
<b>TOTAL DIRECT &amp; ADMINISTRATION COSTS</b>	<b>\$98,360</b>	<b>(\$10,170)</b>	<b>\$88,190</b>
<b>CAPITAL RESERVE COLLECTIONS/(USES)</b>			
Landscape Rehabilitation/Replacement	\$1,300	(\$650)	\$650
Median Rehabilitation/Replacement	238	0	238
Open Space Rehabilitation/Replacement	1,120	0	1,120
Tree Rehabilitation/Replacement	(13,967)	0	(13,967)
Other Rehabilitation/Replacement	800	0	800
<b>Total Annual Capital Reserve Collections/(Uses)</b>	<b>(10,509)</b>	<b>(\$650)</b>	<b>(11,159)</b>
<b>LEVY ADJUSTMENTS</b>			
Interest Income - Improvement Fund	(\$2,592)	\$0	(\$2,592)
Interest Income - Operating Reserve Fund	(1,828)	0	(1,828)
Contributions from other Sources	(10,820)	(10,820)	0
Reserve Collection/(Use)	(9,611)	0	(\$9,611)
<b>Total Levy Adjustments</b>	<b>(\$24,851)</b>	<b>(\$10,820)</b>	<b>(\$14,031)</b>
<b>BALANCE TO LEVY</b>	<b>\$63,000</b>	<b>\$0</b>	<b>\$63,000</b>
<b>DISTRICT STATISTICS</b>			
Total Parcels			74
Parcels Levied			70
Total EBU <sup>(1)</sup>			70
<b>Levy per EBU</b>			<b>\$900.00</b>
Maximum Levy per EBU			\$1,966.13
<b>FUND BALANCE INFORMATION</b>			
Beginning Operating Reserve Balance			\$45,105
Operational Reserve Interest			1,828
Surplus Transfer from Improvement Fund			23,739
Operational Reserve Collection (Use)			(14,031)
Estimated Ending Operating Reserve Balance			<b>\$56,641</b>
Beginning Improvement Fund Balance			\$112,195
Improvement Fund Interest			2,592
Surplus Transfer to Operations Fund			(23,739)
Improvement Fund Collection/(Use)			(10,509)
Estimated Ending Improvement Fund Balance			<b>\$80,539</b>

<sup>(1)</sup> Levy per EBU rate does not include the County of San Luis Obispo fee of \$2.00 per parcel

## 5. METHOD OF ASSESSMENT

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### 5.1 General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

*“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”*

The method of apportionment described in this Report for allocation of special benefit assessments utilizes commonly accepted engineering practices and have been established pursuant to the 1972 Act and the provisions of Article XIID. The formulas used for calculating assessments reflects the composition of parcels within the District and the improvements and services provided, to fairly apportion the costs based on the special benefits to each parcel.

### 5.2 Benefit Analysis

Each of the proposed improvements, the associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the 1972 Act and Article XIID. The improvements provided by this District and for which properties will be assessed have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential, consistent with the development plans and applicable portions of the City General Plan. As such, these improvements would be necessary and required of individual property owners for the development of such properties and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of ensuring the maintenance and operation of the improvements are a distinct and special benefit to the properties within the District. Any improvement or portion thereof that is considered to be of general benefit shall be funded by other revenue sources and not included as part of the special benefit assessments allocated to properties within the District.

#### 5.2.1 SPECIAL BENEFIT

The method of apportionment (method of assessment) established herein is based on the premise that each assessed parcel within the District receives special benefits from the improvements and the desirability and security of those properties is enhanced by the presence of public lighting and well-maintained landscaping in close proximity to those properties

The special benefits associated with landscape improvements are specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties providing a positive representation of the area and properties.



- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping.
- Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention.
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
- Enhanced quality of life through well-maintained green space and landscaped areas.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting and other public lighting facilities are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on roads, streets and public areas.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to property.
- Reduced vandalism and other criminal act and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

The preceding special benefits contribute to the esthetic value and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of the properties. Furthermore, it has been determined that the lack of funding to properly service and maintain the District improvements would have a negative impact on the properties within the District.

### 5.2.2 GENERAL BENEFIT

In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way and other amenities available or visible to the public at large, the construction and installation of these improvements were only necessary for the development of properties within the District and were not required nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been determined that the improvements and the ongoing maintenance, servicing and operation of those improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District.

## 5.3 Assessment Methodology

The method of apportionment for the District calculates the receipt of special benefit from the respective improvements based on the actual or proposed land use of the parcels within the District. The special

benefit received by each lot or parcel is equated to the overall land use of parcels within the District based on the parcel's actual land use or proposed development.

The costs associated with the improvements shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with the Article XIID Section 4, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements.

To identify and determine the special benefit to be received by each parcel and their proportionate share of the improvement costs it is necessary to consider the entire scope of the planned improvements as well as individual property development within the District. Upon review of the proposed improvements it has been determined that each of the residential parcels within the District receives special benefits from the improvements to be funded by annual assessments and based on the planned property development a single zone of benefit is appropriate for the allocation of the assessments and proportional benefit.

### 5.3.1 EQUIVALENT BENEFIT UNITS:

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of the other properties within the District. The method of apportionment established for most districts formed under the 1972 Act utilizes a weighted method of apportionment known as an Equivalent Benefit Unit methodology that uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Benefit Unit (EBU) and the other land uses are converted to a weighted EBU based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

Although the Equivalent Benefit Unit method of apportioning special benefit is most commonly used and applied to districts that have a wide range of land use classifications (residential and non-residential use), this District is comprised of only residential properties and the following apportionment analysis of special benefit addresses only residential land uses. Not all land use types described in the following are necessarily applicable to the development of properties within this District, but are presented for comparison purposes to support the proportional special benefit applied to those land use types within the District.

### 5.3.2 EBU APPLICATION BY LAND USE:

- (1) **Single-family Residential** — This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.00 EBU per lot or parcel. This is the base value that the other properties are compared and weighted against regarding special benefit (i.e. Equivalent Benefit Unit "EBU").
- (2) **Multi-family Residential** — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property. (This land use typically includes apartments, duplexes, triplex etc., but does not generally include condominiums, town-homes or mobile home parks). Based on average population densities and size of the structure as compared to a typical single-family residential unit, multi-family residential parcels shall be proportionately

assessed for the parcel's total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single-family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single-family residence (Sample Sources: Institute of Transportation Engineers Informational Report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Edition). These various studies indicate that most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by this District, an appropriate allocation of special benefit for multi-family residential properties as compared to a single-family residential is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 50 units; 0.50 EBU per unit for units 51 through 100; and 0.25 EBU per unit for remaining units.

- (3) Condominium/Town-home Units** — Condominiums and town-homes tend to share attributes of both single-family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single-family residential properties, these properties are not usually considered rental property and generally, the County assigns each unit a separate APN or assessment number. However, condominiums and town-homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors, it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to an APN. (There is no adjustment for parcels with more than five units).
- (4) Planned-Residential Development** — This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the District. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionately for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out. (The EBU assigned to each parcel shall represent the combination of single-family, condominium, multi-family units to be developed).
- (5) Vacant Residential** — This land use is defined as property currently zoned for residential development, but a tentative or final tract map for the property has not yet been approved. Based upon the opinions of professional appraisers who appraise market property values for real estate in California, the land value portion of a property typically ranges from 20 to 30 percent

of the total value of a developed residential property (the average is about 25 percent). Although the assessed value of an individual property is not a direct reflection of the property's special benefit, this general correlation between land value and structure value does provide a reasonable basis for apportioning special benefit for vacant residential properties. Utilizing this twenty-five percent (25%) apportionment and the number of single-family residential units typically developed per acre of land (an average of 4 residential units per acre) an Equivalent Benefit Unit of 1.00 EBU per acre (4 units per acre x 25%) is derived and presents an appropriate apportionment of special benefit for vacant residential properties. Recognizing that the full and timely utilization of vacant property is reduced as the size of the property increases, it has been determined that the maximum EBU assigned to a vacant residential parcel shall not exceed 25.00 EBU (parcels in excess of 25 acres are assigned 25.00 EBU). Parcels less than one acre, shall be assigned a minimum of 1.00 EBU (similar to a vacant lot within a residential tract).

**(6) Exempt Parcels** — This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to:

- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);
- Dedicated public easements including open space areas, utility rights-of-way, greenbelts, parkways, parks or other publicly owned properties that are part of the District improvements or may provide other benefits to private properties within the District;
- Private properties that cannot be developed independently from an adjacent property, such as common areas, sliver parcels or bifurcated lots or properties with very restrictive development use;

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment but shall be reviewed annually by the assessment engineer to confirm the parcels' current development status. Government owned properties or public properties are not necessarily exempt properties and shall be subject to special benefit assessment unless it qualifies for an exempt status.

**(7) Special Cases** — In many districts where multiple land use classifications are involved, there are usually one or more properties for which the standard land use classifications do not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a Vacant Residential property, however only a small percentage of the parcel's total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel.

The following table provides a summary of land use classifications and the Equivalent Benefit Unit calculations previously outlined.

Property Type	Equivalent Benefit Units	Multiplier
Single-family Residential	1.00	Per Unit/Lot/Parcel
Multi-family Residential	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Condominium/Townhome Units	0.75	Per Unit
Planned Residential Development	1.00	Per Planned SF Residential Lot
	0.75	Per Planned Condominium
	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Vacant Residential Land	1.00	Per Acre
Exempt Parcels	0.00	Per Parcel

The following formula is used to calculate each parcel’s EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acres or Units} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBU’s) is the sum of the individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total number of EBU’s of the parcels benefiting from the improvements. This Rate is then applied back to each parcel’s individual EBU to determine the parcel’s proportionate benefit and assessment obligation for the improvements.

$$\text{Total Balance to Levy} / \text{Total EBU} = \text{Levy per EBU}$$

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount}$$

#### 5.4 Assessment Range Formula

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIII C and XIII D), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District formation, the notice and assessment ballots presented to the property owners for approval included a maximum assessment

amount for Fiscal Year 2005/2006 (initial maximum assessment), identification of the corresponding maximum assessment rate and a summary of the Assessment Range Formula described herein.

The Assessment Range Formula for this District shall be applied to future assessments and is generally defined:

- If the proposed annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment Rate, then the proposed annual assessment is not considered an increased assessment.
- The Maximum Assessment Rate is equal to the (Initial) Maximum Assessment Rate established for Fiscal Year 2005/2006 adjusted annually by the greater of, three percent (3%) or the annual percentage change in the Consumer Price Index (CPI) of “All Urban Consumers” for the San Francisco-Oakland-Hayward Area from February to February. The Maximum Assessment rate was increased by 5.3024% for Fiscal Year 2023/24.

Beginning with Fiscal Year 2006/2007 and each fiscal year thereafter, the Maximum Assessment Rate has been recalculated and a new Maximum Assessment Rate is established for the fiscal year utilizing the Assessment Range Formula described above. The Maximum Assessment Rate is calculated independent of the District’s annual budget and proposed assessment. The annual percentage change in CPI is based on available data provided by the U.S. Department of Labor; Bureau of Labor Statistics at the time the annual Report is prepared. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living. In January 2018, BLS introduced a new geographic area sample for the CPI. As part of the change the index for this area was renamed from San Francisco-Oakland-San Jose to San Francisco-Oakland-Hayward. The metropolitan area is comprised of Alameda, Contra Costa, Marin, San Francisco, San Mateo Counties in the State of California. This CPI will be used going forward.

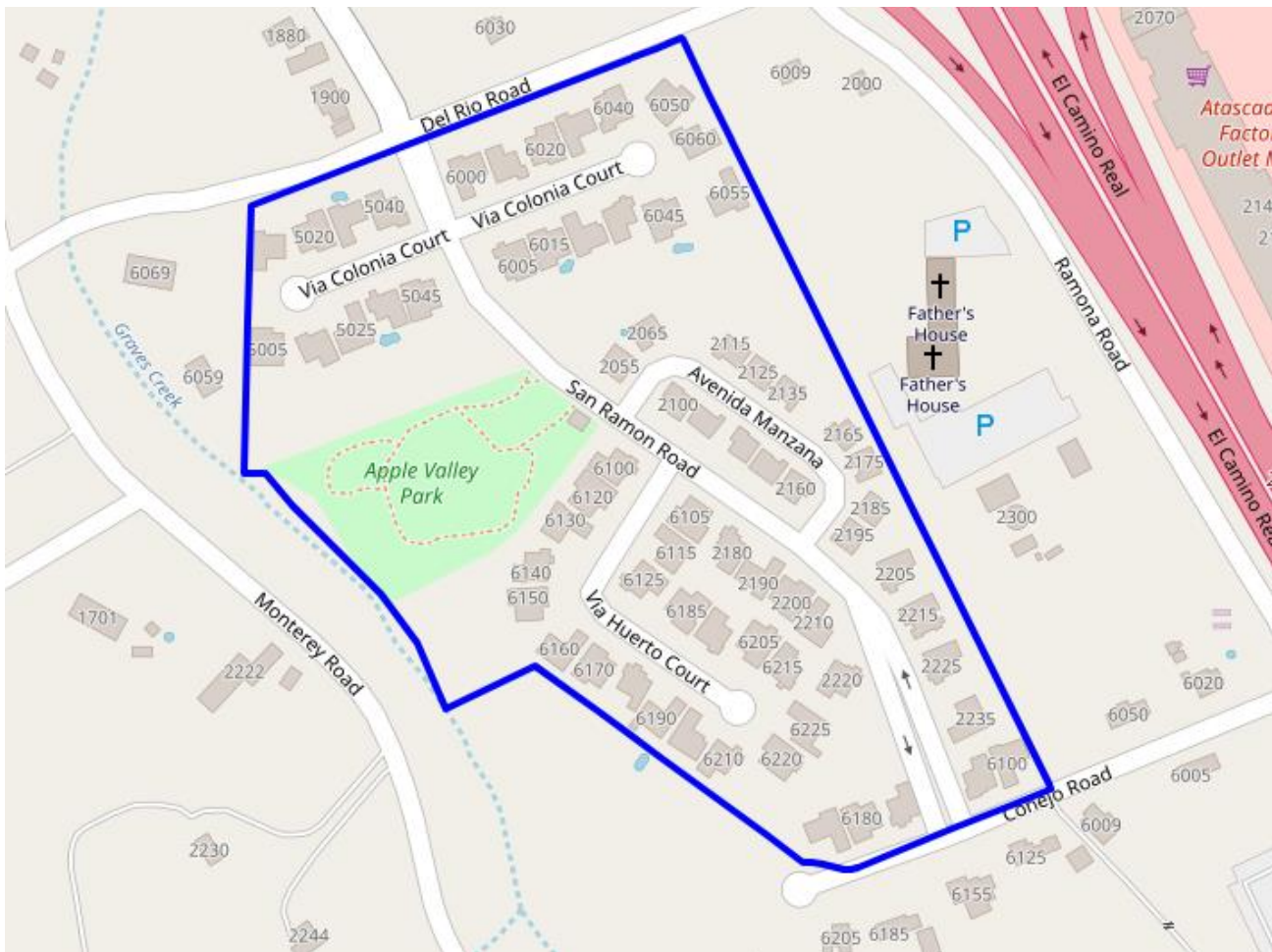
Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the method of apportionment that increase the proportional special benefit assigned to a particular land use classification would be considered an increased assessment. Conversely, reductions in the proportional special benefit assigned to a land use classifications are permitted. Changes in land use or size of an individual property resulting in an assessment increase, is not considered an increased assessment.

To impose a new or increased assessment other than the annual inflationary adjustment provided by the preceding Assessment Range Formula, the City must comply with the provisions of Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve a proposed new or increased assessment before such an assessment may be imposed.

## 6. ASSESSMENT DIAGRAM

The parcels within the Landscaping and Lighting District No. 01 (Apple Valley) consist of the lots, parcels and subdivisions of land located in the planned residential development known as Apple Valley, Tract 2495. The District covers approximately twenty-eight acres (27.71 acres) in the northern portion of the City of Atascadero.

The following map is based on the District Diagram, the San Luis Obispo County Assessor’s Maps and the San Luis Obispo County Assessor’s information and identifies the parcels of land within the proposed District, as the same existed at the time the District was formed. The combination of the District Diagram on file with the City Clerk and the Assessment Roll contained in this Report constitute the District Assessment Diagram.



## 7. ASSESSMENT ROLL

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Parcel identification for each lot or parcel within the District is based on the Assessment Diagram presented herein and is based on available parcel maps and property data from the San Luis Obispo County Assessor's Office at the time the Engineer's Report was prepared. A listing of the lots and parcels to be assessed within this District along with the assessment amounts is provided herein.

Non-assessable lots or parcels may include, but are not limited to public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas, rights-of-way, common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has little or no value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate described in this Report as approved by the City Council. Therefore, if a single assessor's parcel has a status change in development, other land use change, or subdivides into multiple assessor's parcels, the assessment amounts applied to each of the new assessor's parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment amount.



**City of Atascadero**  
**Landscaping & Lighting Maint Dist No. 1**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
049-192-001	6000 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-002	6010 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-003	6020 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-004	6030 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-005	6040 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-006	6050 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-007	6060 VIA COLONIA RD	SFR	1.0	1,966.14	900.00
049-192-008	6055 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-009	6045 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-010	6035 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-011	6025 VIA COLONIA RD	SFR	1.0	1,966.14	900.00
049-192-012	6015 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-013	6005 VIA COLONIA RD	SFR	1.0	1,966.14	900.00
049-192-014	5045 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-015	5035 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-016	5025 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-017	5015 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-018	5005 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-019	5010 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-020	5020 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-021	5030 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-192-022	5040 VIA COLONIA CT	SFR	1.0	1,966.14	900.00
049-193-001	6100 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-002	6120 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-003	6130 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-004	6140 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-005	6150 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-006	6160 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-007	6170 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-008	6180 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-010	6200 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-011	6210 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-012	6220 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-013	6225 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-014	6215 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-015	6205 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-016	6195 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-017	6185 VIA HUERTO RD	SFR	1.0	1,966.14	900.00
049-193-018	6125 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-019	6115 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-020	6105 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
049-193-021	2180 SAN RAMON RD	SFR	1.0	1,966.14	900.00

Slight variances may occur due to rounding

**City of Atascadero**  
**Landscaping & Lighting Maint Dist No. 1**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
049-193-022	2190 SAN RAMON RD	SFR	1.0	1,966.14	900.00
049-193-023	2200 SAN RAMON RD	SFR	1.0	1,966.14	900.00
049-193-024	2210 SAN RAMON RD	SFR	1.0	1,966.14	900.00
049-193-025	2220 SAN RAMON RD	SFR	1.0	1,966.14	900.00
049-193-026	6190 CONEJO RD	SFR	1.0	1,966.14	900.00
049-193-027	6180 CONEJO RD	SFR	1.0	1,966.14	900.00
049-193-028	6160 CONEJO RD	SFR	1.0	1,966.14	900.00
049-193-029	6140 CONEJO RD	SFR	1.0	1,966.14	900.00
049-193-030	6100 CONEJO RD	SFR	1.0	1,966.14	900.00
049-193-031	2235 SAN RAMON RD	SFR	1.0	1,966.14	900.00
049-193-032	2225 SAN RAMON RD	SFR	1.0	1,966.14	900.00
049-193-033	2215 SAN RAMON RD	SFR	1.0	1,966.14	900.00
049-193-034	2205 SAN RAMON RD	SFR	1.0	1,966.14	900.00
049-193-035	2195 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-036	2185 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-037	2175 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-038	2165 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-039	2135 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-040	2125 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-041	2115 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-042	2065 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-043	2055 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-044	2100 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-045	2110 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-046	2140 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-047	2150 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-048	2160 AVENIDA MANZANA RD	SFR	1.0	1,966.14	900.00
049-193-051	6190 VIA HUERTO CT	SFR	1.0	1,966.14	900.00
<b>70 Accounts</b>			<b>70.0</b>	<b>137,629.68</b>	<b>63,000.00</b>
<b>70 Total Accounts</b>			<b>70.0</b>	<b>137,629.68</b>	<b>\$63,000.00</b>

Slight variances may occur due to rounding



# ***Atascadero City Council***

## ***Staff Report – Administrative Services Department***

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### **De Anza Estates Assessment Districts**

#### **RECOMMENDATIONS:**

Council:

1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024; and
2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates); and
3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) in fiscal year 2023/2024, and to appoint a time and place for the public hearing on these matters; and
4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code; and
5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024; and
6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024.

#### **REPORT-IN-BRIEF:**

The City Council formed and began assessing Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) in 2005. This district was formed to provide funding for future routine maintenance of the streets, storm drains and sidewalks in the De Anza Estates subdivision.

The City Council also formed and began assessing Atascadero Landscape and Lighting Maintenance District No. 03 (De Anza Estates) in 2005. This district was formed to provide for funding and maintenance of street trees, open space, park area, medians, walkways, paths and other landscape and lighting improvements within the De Anza Estates subdivision.

NBS, an independent financial consultant, was hired to prepare the engineer’s report for the two districts. The engineer’s report and the levies must be approved by Council annually. This is done in a two-step process. Tonight, there are three resolutions for each district (a total of 6 resolutions in all) that must be passed in order to continue the assessments within the districts. The resolutions passed tonight will also establish the date and time for the public hearing. The public hearing is tentatively scheduled for June 13, 2023 at 6:00 p.m., at which time the final resolutions will be presented to the Council for consideration.

The proposed assessments for fiscal year 2023/2024 are less than the Maximum Assessment Rate. In accordance with the formula voters of the district adopted in 2005, the City may increase the Maximum Assessment Rate for inflation by the greater of the Consumer Price Index (CPI) or 3.0%. The Maximum Assessment Rate was increased by 5.3% (CPI) this year for both districts.

An Assessment Information Notice was mailed to all property owners on April 12, 2023. The notice provided the date of the upcoming June 13, 2023 Public Hearing, information on how to participate in the meeting, staff contact information, the proposed and current levies for both districts.

Staff has reviewed the short and long-term costs to maintain the districts and recommends the total cost of both districts of \$1,274 remains flat when compared to the prior year. The Landscaping and Lighting District levy is about 16% of the allowable maximum annual assessment and the Street and Storm Drain District is about 62% of the allowable maximum annual assessment.

District	Amount Per EBU Assessment Fiscal Year 2022-23	Amount Per EBU Proposed Assessment Fiscal Year 2023-24
Atascadero Street and Storm Drain Maintenance District No. 03 De Anza Estates - Senior Housing	\$ 342.48	\$ 342.48
Atascadero Street and Storm Drain Maintenance District No. 03 De Anza Estates - Single Family Residential	\$ 681.50	\$ 681.50
Atascadero Landscaping and Lighting Maintenance District No. 03 De Anza Estates	\$ 250.00	\$ 250.00

The levies for fiscal year 2023/24 are proposed with no increases and reserves are sufficient for now; however, staff predicts that the Landscape and Lighting District will likely see future increased costs due to the aging landscape, increases in utilities (water and electricity), and increases in labor costs for the landscape maintenance contractor. City staff works to maximize efficiencies and minimize levy increases, However, modest

levy increases are expected in future years in order to continue providing the existing service levels.

## **FISCAL IMPACT:**

Annual assessments for 2023/2024 will total \$30,562 for road/drainage system maintenance and \$15,875 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in De Anza Estates. The City General Fund will contribute \$1,400 for the fiscal year 2023/2024 for half of the maintenance costs of the trails and open space.

## **ATTACHMENTS:**

1. **Draft Resolution A** - initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024
2. **Draft Resolution B** - accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates)
3. **Draft Resolution C** - declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) in fiscal year 2023/2024, and to appoint a time and place for the public hearing on these matters
4. **Engineer's Annual Levy Report**- for the levy and collection of fiscal year 2023/2024 assessments for Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates)
5. **Draft Resolution D** - initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code
6. **Draft Resolution E** - preliminary approval of the Annual Engineer's Levy Report for Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024
7. **Draft Resolution F** - declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 03 (De Anza Estates) for fiscal year 2023/2024
8. **Engineer's Report**- for the levy and collection of fiscal year 2023/2024 assessments for Landscaping and Lighting District No. 03 (De Anza Estates)

**DRAFT RESOLUTION A**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR ATASCADERO STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 03 (DE ANZA ESTATES) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”) formed an assessment district to be designated as Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) (hereafter referred to as the “District”), for the purpose of funding the ongoing operation, maintenance and servicing of public streets, sidewalks, storm drain and flood control facilities installed in conjunction with the development of properties known as De Anza Estates Tract 2498; and to levy and collect annual assessments related thereto. The 1982 Act provides for the formation of such an assessment district pursuant to *Article 3 Section 54710*, and provides for the levy and collection of assessments by the County on behalf of the City pursuant to *Article 4 Section 54718*; and

**WHEREAS**, the City Council has retained NBS as the Engineer of Work, for the purpose of assisting with the administration of the District, the establishment of annual assessments, and to prepare and file an Engineer’s Report with the City Clerk in accordance with the 1982 Act; and in accordance with the requirements of the *California Constitution, Articles XIIC and XIID*.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The City Council hereby orders the Engineer to prepare and file an Engineer’s Annual Levy Report concerning the levy of assessments for properties within the District as specified by *Article 4 Section 54716* of the 1982 Act.

**SECTION 2.** The District improvements include the ongoing operation, administration, maintenance and servicing of the public streets, drainage and flood control systems and appurtenant facilities authorized pursuant to the 1982 Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to pavement, curbs, sidewalks, hardscape, bridges, fencing, signage, drains, pipes, inlets, outlets, catch basins, drainage basins, manholes, and associated appurtenant facilities located within the public street right-of-ways and other public easements within the District, and dedicated to the City of Atascadero for such maintenance.

**SECTION 3.** The territory within Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) consists of lots, parcels and subdivisions of land located in the development known as De Anza Estates Tract 2498.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION B**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, ACCEPTING AND PRELIMINARILY  
APPROVING THE ENGINEER’S ANNUAL LEVY REPORT REGARDING  
THE ATASCADERO STREET AND STORM DRAIN MAINTENANCE  
DISTRICT NO. 03 (DE ANZA ESTATES)**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council has, by previous Resolution, ordered the preparation of an Engineer’s Annual Levy Report (hereafter referred to as the “Report”) regarding the assessment district to be designated as the Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) (hereafter referred to as the “District”), and the levy and collection of assessments related thereto, pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”); and

**WHEREAS**, there has now been presented to this City Council the Report as specified by *Article 4 Section 54716* of said 1982 Act; and

**WHEREAS**, the City Council has carefully examined and reviewed the Report as presented, and is preliminarily satisfied with the District and the budget items and documents as set forth therein, and is satisfied that the proposed assessments have been spread in accordance with the special benefits received from the improvements, operation, administration, maintenance and services to be performed within the District, as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The preceding recitals are true and correct.

**SECTION 2.** That the Report as presented, consists of the following:

- a. A Description of Improvements.
- b. A Boundary Diagram of the District.
- c. The Method of Apportionment that details the method of calculating each parcel’s proportional special benefits and annual assessment.
- d. The proposed Budget (Costs and Expenses) and the duration and collection of assessments.
- e. The District Roll containing the Levy for each Assessor Parcel Number within the District for fiscal year 2023/2024.



**SECTION 3.** The Report is hereby approved on a preliminary basis, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** The Maximum Assessment described in the Report is hereby approved on a preliminary basis.

**SECTION 5.** The City Clerk shall certify to the passage and adoption of this Resolution, and the Minutes of this meeting shall so reflect the presentation of the Report.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION C**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS WITHIN ATASCADERO STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 03 (DE ANZA ESTATES) IN FISCAL YEAR 2023/2024, AND TO APPOINT A TIME AND PLACE FOR THE PUBLIC HEARING ON THESE MATTERS**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”) did by previous Resolution approve the levy and collection of annual assessments to pay for the operation, maintenance and servicing of public streets, drainage and flood control systems and appurtenant facilities related thereto for the assessment district designated as Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) (hereafter referred to as the “District”); and

**WHEREAS**, the Engineer selected by the City Council has prepared and filed with the City Clerk a Report in connection with the proposed District, and the levy of assessments for Fiscal Year 2023/2024 (July 1, 2023 and ending June 30, 2024) in accordance with *Chapter 1, Article 4* of the 1982 Act and in accordance with the requirements of the *California Constitution, Articles XIII C and XIII D*, and the City Council did by previous Resolution preliminarily approve such Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The City Council hereby declares its intention to seek the annual levy of the District pursuant to the 1982 Act, over and including the land within the District boundary, and to levy and collect special benefit assessments on parcels of land within the District to pay for the costs and expenses associated with the operation, maintenance, repair and servicing of public streets, drainage and flood control systems and appurtenant facilities related thereto.

**SECTION 2.** The District improvements include the ongoing operation, administration, maintenance and servicing of the public streets, drainage and flood control systems and appurtenant facilities authorized pursuant to the 1982 Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to pavement, curbs, sidewalks, hardscape, bridges, fencing, signage, drains, pipes, inlets, outlets, catch basins, drainage basins, manholes, and associated appurtenant facilities located within the public street right-of-ways and other public easements within the District, and dedicated to the City of Atascadero for such maintenance. The Engineer’s Report, as ordered by previous Resolution, provides a full and complete description of the improvements within the District.

**SECTION 3.** The proposed territory within Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) consists of lots, parcels and subdivisions of land located in the development known as De Anza Estates Tract 2498.

**SECTION 4.** The proposed assessments for the District are outlined in the Engineer’s Report. The Report details the proposed assessments necessary to provide for the annual operation, administration, services and maintenance of the improvements described in Section 2 of this Resolution.

**SECTION 5.** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday, June 13, 2023, at 6:00 p.m. or as soon thereafter as feasible in the regular meeting chambers of the City Council located at 6500 Palma Avenue, Atascadero, California. At the Public Hearing, all interested persons shall be given an opportunity to hear and be heard on the proposed assessment to be levied for fiscal year 2023/2024 as contained in the Engineer’s Report on file in the City Clerk’s Office.

**SECTION 6.** The City Clerk shall give notice of the filing of the report and the time and place of the Public Hearing by publishing in a local newspaper one time at least 10 days prior to the Public Hearing.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

# CITY OF ATASCADERO

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*Fiscal Year 2023/24 Engineer's Report For:*

## **Street and Storm Drain Maintenance District No. 03 (De Anza Estates)**

**May 2023**

Prepared by:



[nbsgov.com](http://nbsgov.com)

**CITY OF ATASCADERO**  
**Street and Storm Drain Maintenance District No. 03**  
**(De Anza Estates)**

**6500 Palma Avenue**  
**Atascadero, CA 93422**  
**Phone – (805) 461-5000**  
**Fax – (805) 461-7612**

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**CITY COUNCIL**

Heather Moreno, Mayor

Susan Funk, Mayor Pro Tem

Charles Bourbeau, Council Member

Mark Dariz, Council Member

Heather Newsom, Council Member

**AGENCY STAFF**

Rachelle Rickard, City Manager

Jeri Rangel, Administrative Services Director

Cindy Chavez, Deputy Director of Administrative Services

**NBS**

Tim Seufert, Client Services Director

Adina McCargo, Project Manager

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# 1. ENGINEER’S LETTER

**WHEREAS**, on August 9, 2005 by Resolution No. 2005-071, the City Council of the City of Atascadero (the “City”), State of California, in accordance with and pursuant to the provisions of the Benefit Assessment Act of 1982, being Chapter 6.4 of the California Government Code, commencing with Section 54703 (hereafter referred to as the “1982 Act”), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIID (hereafter referred to as the “California Constitution”), established the City of Atascadero Street and Storm Drain Maintenance District No. 03 (De Anza Estates) (the “District”); and

**WHEREAS**, on May 9, 2023, the City Council, adopted its Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer’s Report for the District; and

**WHEREAS**, the Resolution Initiating Proceedings directed NBS to prepare and file a report describing the general nature, location, and extent of the improvements to be maintained; an estimate of the costs of the maintenance, operations, and servicing of the improvements for the District for the referenced fiscal year; a diagram for the District, showing the area and properties to be assessed; and an assessment of the estimated costs of the administration, maintenance, operations, and servicing the improvements, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received.

**NOW THEREFORE**, the assessments as detailed in this Engineer’s Report and as summarized in the table below are made to cover the portion of the estimated costs of maintenance, operation and servicing of the improvements to be paid by the assessable real property within the District in proportion to the special benefit received. The following table summarizes the proposed assessment for Fiscal Year 2023/24:

**FY 2023/24 Summary of Assessment**

Description	Zone A - Amount	Zone B - Amount	Total Amount
Estimated Annual Costs	\$11,261	\$19,129	\$30,390
Capital Reserve Collection/(Uses)	\$14,939	\$15,873	\$30,812
Levy Adjustments	(\$13,357)	(\$17,283)	(\$30,640)
<b>Balance to Levy <sup>(1)</sup></b>	<b>\$12,843</b>	<b>\$17,719</b>	<b>\$30,562</b>
Fiscal Year 2023/24 Maximum Rate <sup>(2)</sup>	\$893.34	\$1,104.46	
Fiscal Year 2023/24 Proposed Applied Rate <sup>(2)</sup>	\$342.48	\$681.50	

(1) Total Levy Amount is rounded up to the nearest dollar.

(2) Rates above are per Equivalent Benefit Unit.

I, the undersigned, respectfully submit the enclosed Engineer’s Report and, to the best of my knowledge, information, and belief, the Engineer’s Report, Assessments, and the Assessment Diagram herein have been prepared, computed, and levied in accordance with the assessment methodology adopted, approved, and ordered by the City Council of the City of Atascadero and the 1982 Act.

\_\_\_\_\_  
 City Engineer

## 2. EXECUTIVE SUMMARY

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Pursuant to the provisions of the *Benefit Assessment Act of 1982, being Chapter 6.4 of the California Government Code, commencing with Section 54703* (hereafter referred to as the “1982 Act”), and in compliance with the substantive and procedural requirements of the *California State Constitution Article XIID* (hereafter referred to as the “California Constitution”), the City Council of the City of Atascadero, County of San Luis Obispo, State of California (hereafter referred to as “City”), proposed to form and levy special benefit assessments for the district designated as:

### ***Street and Storm Drain Maintenance District No. 03 (De Anza Estates)***

(hereafter referred to as the “District”), which includes the lots and parcels of land within the residential subdivision known as De Anza Estates, Tract 2498 within the City limits of the City. This Engineer’s Report (hereafter referred to as the “Report”) has been prepared in connection with the levy and collection of annual assessments related thereto for Fiscal Year 2023/24.

The City Council formed the District and provided for the levy and collection of annual assessments on the County tax rolls to provide ongoing funding for the costs and expenses required to service and maintain the street and storm drain improvements and facilities associated with and resulting from the development of properties within the District. The improvements to be provided by the District and the assessments described herein are made pursuant to the 1982 Act and the substantive and procedural provisions of the California Constitution.

This Report describes the District, the improvements, and the proposed assessments to be levied against properties in connection with the special benefits the properties will receive from the maintenance and servicing of the District improvements and facilities. The annual assessments described herein will provide a funding source for the continued operation and maintenance of streets, storm drain system and appurtenant facilities installed in connection with the development of properties within the District.

The improvements and assessments described in this Report are based on the development of properties within the District and represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to maintain and service the streets and storm drain system that provides special benefits to properties within the District. The structure of the District (organization), the improvements, the method of apportionment, and assessments described herein are based on current development plans and specifications for Tract 2498; and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the San Luis Obispo County Assessor’s Office. The San Luis Obispo County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers to identify properties to be assessed on the tax roll for the special benefit assessments.

As part of this District’s formation, the City conducted a Property Owner Protest Ballot proceeding for the proposed levy of a new assessment pursuant to the provisions of the *California Constitution, Article XIID Section 4*. In conjunction with this ballot proceeding, the City Council conducted a noticed public hearing to consider public testimonies, comments and written protests regarding the formation of the District and



levy of assessments. Upon conclusion of the public hearing, property owner protest ballots received were opened and tabulated to determine whether majority protest existed (ballots were weighted based on assessment amounts), and by resolution the City Council confirmed the results of the ballot tabulation. The tabulation of the ballots indicated that majority protest did not exist for the proposed assessments and the assessment range formula presented and described herein; therefore, the City Council approved the Report (as submitted or amended), ordered the formation of the District, and approved the levy and collection of assessments. The assessments for Fiscal Year 2005/2006 were submitted to the San Luis Obispo County Auditor/Controller for inclusion on the property tax roll for each parcel.

Each subsequent fiscal year, a Report shall be prepared and presented to the City Council describing any changes to the improvements, proposed services, the annual budget or assessments for that fiscal year and the City Council may hold a noticed public hearing regarding these matters prior to approving and ordering the proposed levy of assessments. If the proposed assessments for the District exceed the maximum assessment described herein (as approved by the property owners), the new or increased assessment must be confirmed through another property owner protest ballot proceeding before such an assessment may be imposed. It should be noted that an increased assessment to an individual property resulting from changes in development or land use does not constitute an increased assessment.

## 3. PLANS AND SPECIFICATIONS

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### 3.1 Benefiting Properties within the District

The territory within the District consists of the lots, parcels and subdivisions of land within the proposed residential subdivision known as the De Anza Estates, Tract 2498, which encompasses an area of land totaling approximately seventy-six acres (75.84 acres).

This subdivision includes twenty-six (26) Single-Family Residential Units and sixty (60) Modified Housing/Senior Housing Units. The subdivision is situated in the northern portion of the City of Atascadero northeast of Highway 101 and is generally located:

- At the North end of El Camino Real;
- North and East of U.S. HWY 101; and,
- South and West of the Salinas River.

### 3.2 Funding Authorized by the 1982 Act

As generally defined by the Benefit Assessment Act of 1982 and applicable to this District, the City may impose a benefit assessment to finance the maintenance and operation costs of the following services:

- Drainage and Flood Control;
- Streets and Roads.

In addition to imposing a benefit assessment for the annual maintenance and operation of the District improvements, the City may also authorize an assessment or utilize existing assessment revenues to finance the installation, construction or replacement of drainage and flood control facilities as well as the street and road improvements (with some limitations). While such activities are permitted under the 1982 Act, the budget and assessments for this District only provide for normal maintenance and operation of the improvements. Since most major rehabilitation/construction projects result from unforeseen damages, the extent and cost of such projects are not easily predicted and to accumulate funds as part of the normal annual assessments would not be reasonable. If such funding becomes necessary, the City may present a new or increased assessment to the property owners to support the projects.

### 3.3 Description of Improvements and Services

The purpose of this District is to fund the activities necessary to maintain and service the local streets and the drainage and flood control systems constructed and installed in connection with development of properties within the residential subdivision known as (De Anza Estates), Tract 2498 pursuant to approved development plans and agreements. The improvements may consist of all or a portion of the public streets, drainage and flood control facilities associated with Tract 2498 and the maintenance of these improvements may include but are not limited to the materials, equipment, labor, and incidental expenses deemed necessary to keep these improvements in satisfactory condition. The maintenance of the improvements and related activities shall be funded entirely or partially through the District assessments. The District improvements and services are generally described as:

- Street maintenance that may include but is not limited to the repair and servicing of street surfaces, curbs, gutters, bridges, driveway approaches, sidewalks, barricades, delineation, signage

or other facilities within the public street rights-of-way installed in connection with the development of properties in Tract 2498 and that have been dedicated to the City;

- Storm drain and flood control maintenance that may include but is not limited to inspection, repair and servicing of drainage basins, inlets, catch basins, manholes, outlets, drywells, pumps, filters and storm drain pipes installed in connection with the development of properties of Tract 2498 as well as any off-site improvements and facilities directly associated with the aforementioned infrastructure that is deemed necessary to service or protect the properties including waste water treatment;
- The appurtenant, equipment, materials and service contracts related to the aforementioned improvements and facilities;
- Specifically excluded are those improvements or facilities: located on private property or common areas; that may be provided or maintained by an agency other than the City; that may be provided by another assessment or tax levied by the City; or that may be provided and maintained by a Homeowner's Association or similar entity.

Detailed maps and descriptions of the location and extent of the specific improvements to be maintained by the District are on file in the Office of Public Works and by reference are made part of this Report. Those portions of the District improvements that may be identified as general benefit or will be funded in whole or in part by other revenue sources as part of the approved development agreements, will not be included as part of the District assessments. The net annual cost to provide and maintain the improvements determined to be of special benefit shall be allocated to each property in proportion to the special benefits received.

### 3.3.1 STREET MAINTENANCE

The street maintenance program may include, but is not limited to: the repair of potholes, cracks or other failures in the asphalt surface; repair or replacement of curbs, gutters, driveway approaches and sidewalks as required as part of maintaining the streets; repair or installation of street signs, barricades, fencing or other delineation; mechanized sweeping and cleaning of the streets and gutters; slurry sealing, overlays and re-striping of the street surfaces. The specific activities and timing of various street and road maintenance services shall be determined by the City's Public Works Department as necessary to extend the life of the streets or to improve traffic circulation and safety as available funding permits. Specifically, the street improvements for this District are identified as:

- Approximately 66,000 square feet of asphalt street surface located on the interior streets of the development identified as El Camino Real north of the Upper Bridge Crossing; Ferrocarril Road from the Graves Creek Bridge northeast to the end of Tract 2498; and De Anza Court.
- Approximately 5,700 linear feet of curb and gutter along El Camino Real, Ferrocarril Road, and De Anza Court, 26 driveway approaches and various street signs within the District;
- Two bridges identified as the Upper Bridge Crossing (located on El Camino Real at the entryway to the tract) and the Graves Creek Bridge (located on Ferrocarril Road located at the entryway to the senior housing development);
- Specifically not included as part of the street maintenance program are the costs associated with major replacements or reconstruction. Although the District assessments will provide funding for regular maintenance and servicing of the improvements that will extend the useful life of the

street improvements, the assessments are not intended to fund major replacements or reconstruction of the street surfaces or adjacent improvements such as curbs, gutters or driveway approaches. The costs of extensive replacement or reconstruction activities such as grinding and resurfacing of the asphalt; and replacement of curbs, gutters driveway approaches and sidewalks is significantly more than the amount that can reasonably be collected annually under the provisions of the 1982 Act. When such repairs or activities are deemed necessary, the City will consider various financing options including new or increased assessments for property owner approval. Also not included as part of the street maintenance program are the street improvements within the senior housing development (street improvements southwest of the Graves Creek Bridge). The street improvements and facilities within the senior housing development shall be maintained and funded through a Homeowner's Association or similar entity.

The Public Works Department shall authorize the operational activities and maintenance of the public street and right-of-way improvements, facilities and services that may include, but are not limited to:

- Regular street sweeping services necessary to control dirt and debris on street surfaces and gutters;
- Annual inspection of street surface and repair of potholes and surface cracks as needed;
- Periodic slurry or overly of street surfaces and driveway approaches (typically one or the other once every five years);
- Periodic re-striping of traffic lanes, bike lanes, street parking areas, crosswalks and intersections (typically in conjunction with slurry or overly activities);
- Graffiti abatement of public improvements within the street rights-of-way that are maintained by the District including but not limited to sandblasting, repainting and repair of fences, walls, barricades, sidewalks and signage as needed;
- Annual inspection and periodic repair or replacement of decorative street- pavers as needed;
- Annual inspection and minor repairs of curbs, gutters, driveway approaches and sidewalks including partial segment replacements as needed to ensure pedestrian and vehicle safety or the integrity of the street;
- Annual inspection and periodic repair or rehabilitation of street signs and traffic control devices;
- Annual inspection and repair of barricades, street-fencing, delineation or retaining walls within the street rights-of-way as needed.

A portion of the services described above are not performed on an annual basis but rather on a periodic basis, such as slurry sealing or overlaying the asphalt streets, and the funds necessary for these activities are collected in installments as part of the annual assessments. The monies collected each year for these services will be accumulated in a special fund of the District (Reserve Fund or Capital Improvement Fund). The monies accumulated for these activities shall be spent when sufficient funds have been accumulated to perform the services deemed necessary by the City (approximately every five years). This process of accumulating funds (installments) shall continue until such time the District is dissolved; or the City determines that such funding procedures require modification. Changes in the process of accumulating funds that would result in an increase to the annual assessment rate must be presented to the property owners for approval prior to imposing such an increase.

### 3.3.2 STORM DRAIN AND FLOOD CONTROL MAINTENANCE

The storm drain and flood control system associated with the District may include but is not limited to: drainage basins and bio-filters; channel ways; storm drain inlets, catch basins, manholes, outlets; drywells, pumps, filters and pipes. The storm drain system to be maintained primarily involves on-site facilities (within the District boundaries) but may also include off-site improvements such as water treatment equipment, facilities or services mandated or required by Federal, State or County regulations for water pollution control. The annual assessments for this District are intended to support a storm drain and flood control maintenance program that will adequately regulate and control storm water runoff resulting from the development of properties within the District. This maintenance program may include but is not limited to: inspection and documentation of the system; cleaning, servicing or repair of the facilities and equipment; and the partial replacement or rehabilitation of equipment and facilities. The storm drain and flood control system includes but is not limited to:

- A single drainage basin of approximately 9,000 square feet;
- A total of approximately three (3) inlets, catch basins, manholes or outlets located within the single-family residential portion of Tract 2498;
- Approximately 200 linear feet of 24 inch storm drain pipe.

The Public Works Department shall authorize and schedule the operational activities and maintenance of the storm drain and storm water pollution treatment infrastructure, facilities and services that may include, but are not limited to:

- Cleaning of storm drain inlets, catch basins, manholes and pipes as needed;
- Stencil maintenance and documentation of facilities as required by Federal, State or County regulations;
- Cleaning and landscape maintenance of the drainage basins, bio-filter areas or channel ways as needed;
- Debris removal and pest control in and around the storm drain facilities as needed;
- Minor repairs and maintenance of the storm drain inlets, catch basins and outlets as needed;
- Street sweeping services necessary to control debris and water flow for the storm drain system; and,
- The operational costs related to NPDES compliance requirements.

A portion of the services described above are not performed on an annual basis but rather on a periodic basis such as minor repairs to the storm drain inlets, catch basins and outlets, and the funds necessary for these activities are collected in installments as part of the annual assessments. The monies collected each year for these services will be accumulated in a special fund of the District (Reserve Fund or Capital Improvement Fund). The monies accumulated for these activities shall be spent as needed to perform the services deemed necessary by the City. This process of accumulating funds (installments) shall continue until such time the District is dissolved; or the City determines that such funding procedures require modification. Changes in the process of accumulating funds that would result in an increase to the annual assessment rate must be presented to the property owners for approval prior to imposing such an increase.

## 4. ESTIMATE OF COSTS

Budget	Zone A (Senior Housing)	Zone B (SF-Residential)	2023/2024 Assessment
<b>DIRECT COSTS</b>			
<b>Streets, Roads &amp; Storm Drain Improvements</b>			
Drainage Maintenance Services	\$0	\$3,610	\$3,610
Street Sweeping Services	660	990	1,650
Inspection & Operational Services - Roads, Drainage	1,664	2,496	4,160
Traffic Sign Replacement	3,200	4,800	8,000
Street Maintenance	2,992	4,488	7,480
<b>Total Annual Direct Costs</b>	<b>\$8,516</b>	<b>\$16,384</b>	<b>\$24,900</b>
<b>ADMINISTRATION EXPENSES</b>			
City Annual Administration	\$810	\$810	\$1,620
Engineer's Report & Services	1,885	1,885	3,770
Public Noticing	50	50	100
<b>Total Administration Costs</b>	<b>\$2,745</b>	<b>\$2,745</b>	<b>\$5,490</b>
<b>TOTAL DIRECT &amp; ADMINISTRATION COSTS</b>	<b>\$11,261</b>	<b>\$19,129</b>	<b>\$30,390</b>
<b>CAPITAL RESERVE COLLECTIONS/(USES)</b>			
Collection for Street Surface Activities	\$6,445	\$9,667	\$16,111
Collection for Street Re-striping	34	52	86
Collection for Repair Activities: Curbs, Gutters, Approaches & Sidewalks	116	174	290
Collection for Debris Removal	0	307	307
Collection for Bridges	8,344	5,562	13,906
Collection for Storm Drain Infrastructure	0	111	111
<b>Total Capital Reserve Collections/(Uses)</b>	<b>\$14,939</b>	<b>\$15,873</b>	<b>\$30,812</b>
<b>LEVY ADJUSTMENTS</b>			
Interest Income - Improvement Fund	(\$6,346)	(\$8,764)	(\$15,110)
Interest Income - Operating Reserve Fund	(181)	(249)	(430)
Reserve Fund Collection (Use)	(6,830)	(8,270)	(15,100)
<b>Total Levy Adjustments</b>	<b>(\$13,357)</b>	<b>(\$17,283)</b>	<b>(\$30,640)</b>
<b>BALANCE TO LEVY</b>	<b>\$12,843</b>	<b>\$17,719</b>	<b>\$30,562</b>
<b>DISTRICT STATISTICS</b>			
Total Parcels	61	28	89
Parcels Levied	60	26	86
Total EBU <sup>(1)</sup>	37.50	26	63.50
<b>Proposed Levy per EBU</b>	<b>\$342.48</b>	<b>\$681.50</b>	
Maximum Levy per EBU	\$893.34	\$1,104.46	
<b>FUND BALANCE INFORMATION</b>			
Beginning Operating Reserve Balance	\$6,080	\$8,396	\$14,476
Operational Reserve Interest	181	249	430
Surplus Transfer from Improvement Fund	12,721	17,567	30,288
Operational Reserve Collection (Use)	(12,869)	(17,771)	(\$30,640)
<b>Ending Operating Reserve Balance</b>	<b>\$6,113</b>	<b>\$8,441</b>	<b>\$14,554</b>
Beginning Improvement Fund Balance	\$208,212	\$287,532	\$495,744
Improvement Fund Interest	6,346	8,764	15,110
Surplus Transfer to Operations Fund	(12,721)	(17,567)	(30,288)
Improvement Fund Collection/(Use)	12,941	17,871	30,812
<b>Estimated Ending Improvement Fund Balance</b>	<b>\$214,778</b>	<b>\$296,600</b>	<b>\$511,378</b>

<sup>(1)</sup> Levy per EBU rate does not include the County of San Luis Obispo fee of \$2.00 per parcel

## 5. METHOD OF ASSESSMENT

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### 5.1 General

The 1982 Act permits the establishment of assessment districts by agencies for the purpose of providing for the maintenance, operation and servicing of drainage and flood control improvements as well as streets, roads and appurtenant facilities. The 1982 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

*“The amount of the assessment imposed on any parcel of property shall be related to the benefit to the parcel which will be derived from the provision of the service”.*

Furthermore:

*“The annual aggregate amount of the assessment shall not exceed the estimated annual cost of providing the service, except that the legislative body may, by resolution, determine that the estimated cost of work authorized ... is greater than can be conveniently raised from a single annual assessment and order that the estimated cost shall be raised by an assessment levied and collected in installments.... The revenue derived from the assessment shall not be used to pay the cost of any service other than the service for which the assessment was levied.”*

The method of apportionment described in this Report for allocation of special benefit assessments utilizes commonly accepted engineering practices in compliance with the provisions of the 1982 Act and the California Constitution. The formulas used for calculating assessments reflects the composition of parcels within the District and the improvements and services provided, to fairly apportion the costs based on the special benefits to each parcel.

### 5.2 Benefit Analysis

Each of the proposed improvements and services, and the associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the 1982 Act and the California Constitution. The street and storm drain improvements associated with this District were necessary and essential requirements for the orderly development of the properties within the District to their full potential, consistent with the development plans and applicable portions of the City General Plan. As such the ongoing operation, servicing and maintenance of those improvements would otherwise be the direct financial obligation of each individual property owner. Since each parcel to be assessed within the District could not have been developed in the absence of these improvements and facilities, each parcel has a direct investment in the proper maintenance of the improvements that is over and above any general benefits that may be conferred by such improvements and services.

The ongoing maintenance and servicing of the District improvements is an integral part of the appearance, use and preservation of the properties within the District and such services to be funded by annual assessments confer a particular and distinct special benefit to those parcels. The proper maintenance of streets and appurtenant facilities allows individual parcels to be used to their fullest extent by ensuring the safe and

efficient movement of people and goods to and from the benefiting properties Likewise, the maintenance and servicing of the storm drain system ensures proper water flow and control of excess water during periods of rain, which is essential to preservation and protection of private property. Together the maintenance and servicing of the streets and storm drain system contributes to a specific enhancement of each of the parcels within the District and the absence of adequate maintenance and servicing of the District improvements could eventually have a negative impact on properties within the District.

Although the improvements may include public streets and storm drain facilities that connect to similar facilities outside the District boundaries, it is clear that the construction and installation of these improvements were only necessary for the development of properties within the District. As such, these improvements were not required nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been determined that the ongoing maintenance, servicing and operation of the District improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District. Any improvement or portion thereof (particularly off-site storm drain facilities) that may be considered general benefit shall be funded by other revenue sources and not included as part of the special benefit assessments allocated to properties within this District. However, the costs associated with installation or improvement of any off-site facilities that benefit the parcels within this District as well as other properties (shared benefit) may be allocated to the parcels within the District based on their proportional special benefit from such improvements.

### 5.3 Assessment Methodology

The costs associated with the improvements and services shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with the California Constitution Article XIII D Section 4, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements.

The method of apportionment established for this District and described herein, reflects the proportional special benefit each property receives from the improvements and services based on the actual or proposed land use of that parcel as compared to other properties within the District based on similarities and differences in parcel land use.

#### 5.3.1 ZONES OF BENEFIT:

While it has been determined that the improvements to be maintained by the District are entirely a special benefit to properties within the District (No measurable general benefit), upon review of the various improvements, the location and need for such improvements and the proposed development of properties within the District it has been determined that the improvements and services that will benefit the single-family residential properties are not identical to the improvements and services that will benefit the senior housing development, although they do share in the benefit of some of the improvements. Therefore, it has been determined that two separate zones of benefit are required to appropriately allocate the costs of



maintaining the improvements and establish proportional special benefit assessments. The properties associated with the senior housing development have been identified and designated as “Zone A”, and the single-family residential properties within Tract 2498 have been identified and designated as “Zone B” based on the improvements associated with those properties.

- (1) Zone A (Senior Housing Portion of Tract 2489)** — It has been determined that these properties benefit and shall proportionately share in the costs associated with maintaining and servicing the Upper Bridge Crossing, El Camino Real and the western portion of Ferrocarril Road leading into these properties. It has also been determined that the construction of the Graves Creek Bridge was only necessary for the development of these properties and therefore the cost to service and maintain this facility shall be entirely allocated to these properties. Conversely, the storm drain improvements that will be maintained by the City within Tract 2498 have been constructed as part of developing the twenty-six single-family residential properties and it has been determined that the senior housing properties do not receive direct and special benefit from those particular improvements. While these properties will not be assessed for the storm drain improvements, it should be noted that some storm drain facilities will be constructed as part of the senior housing development; however these improvements are not included in this District and will be provided and maintained by a Homeowner’s Association or similar entity.
- (2) Zone B (Single-Family Residential Portion of Tract 2498)** — Along with the properties in Zone A, the single-family residential properties within Tract 2498 benefit and shall proportionately share in the costs associated with maintaining and servicing the Upper Bridge Crossing and El Camino Real. In addition, the overall development of these particular properties required the construction and installation of the street improvements on Ferrocarril Road and De Anza Court as well as the entire storm drain system to be maintained by the District. Therefore, the cost of maintaining and servicing these particular improvements shall be budgeted and allocated proportionately to only those properties in Zone B. Conversely, the construction of the Graves Creek Bridge was only necessary for the development of the senior housing and the properties within Zone B will not share in the cost of maintaining this particular facility.

### 5.3.2 EQUIVALENT BENEFIT UNITS:

To assess benefits equitably it is necessary to relate each property’s proportional special benefits to the special benefits of the other properties within the District. The method of apportionment established for most districts formed under the 1982 Act utilizes a weighted method of apportionment known as an Equivalent Benefit Unit (EBU) methodology that uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Benefit Unit (EBU) and the other land uses are converted to a weighted EBU based on an assessment formula that equates the property’s specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

Although the Equivalent Benefit Unit method of apportioning special benefit is most commonly used and applied to districts that have a wide range of land use classifications (residential and non-residential use), this District is comprised of only residential properties and the following apportionment analysis of special benefit addresses only residential land uses. Not all land use types described in the following are necessarily applicable to the development of properties within this District, but are presented for comparison purposes to support the proportional special benefit applied to those land use types within the District.

### 5.3.3 EBU APPLICATION BY LAND USE:

- (1) Single-family Residential** — This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.0 EBU per lot or parcel. This is the base value that the other properties are compared and weighted against (i.e. Equivalent Benefit Unit “EBU”).
- (2) Multi-family Residential** — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property. (This land use typically includes apartments, duplexes, triplex etc., but does not generally include condominiums, town-homes or mobile home parks). Based on average population densities and size of the structure as compared to a typical single-family residential unit, multi-family residential parcels shall be proportionately assessed for the parcel’s total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single-family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single-family residence (Sample Sources: Institute of Transportation Engineers Informational Report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Edition). These various studies indicate that most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases, the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by this District, an appropriate allocation of special benefit for multi-family residential properties as compared to a single-family residential property is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 50 units; 0.50 EBU per unit for units 51 through 100; and 0.25 EBU per unit for the remaining units.
- (3) Condominium/Town-home Units** — Condominiums and town-homes tend to share attributes of both single-family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single-family residential properties, these properties are not usually considered rental property and generally, the County assigns each unit a separate APN or assessment number. However, condominiums and town-homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors, it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to an APN. (There is no adjustment for parcels with more than five units).
- (4) Modified Housing/Senior Housing Units** — Modified Housing or Senior Housing is generally defined as residential units that would typically be classified as Condominiums or Town-homes, but have specific deed restrictions that may limit the size or use of all units within the development. This classification is not applicable to individual single-family residential parcels unless all single-family residential parcels within that particular development or subdivision have the same restrictions.

(For example: One or more single-family units within a subdivision that are deed restricted as “Affordable Housing” or “Senior Housing” does not qualify for this land use classification, unless all the units within that development have the same or similar deed restrictions.) Since this classification generally involves Condominium or Town-home type properties, that are generally assigned 0.75 EBU, it has been determined that an appropriate allocation of special benefit for modified housing units or senior housing units is best represented by an assignment of 0.625 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to a single APN.

- (5) Planned-Residential Development** — This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the District. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionately for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out. (The EBU assigned to each parcel shall represent the combination of single-family, condominium, multi-family units to be developed).
- (6) Vacant Residential** — This land use is defined as property currently zoned for residential development, but a tentative or final tract map for the property has not yet been approved. Based upon the opinions of professional appraisers who appraise market property values for real estate in California, the land value portion of a property typically ranges from 20 to 30 percent of the total value of a developed residential property (the average is about 25 percent). Although the assessed value of an individual property is not a direct reflection of the property’s special benefit, this general correlation between land value and structure value does provide a reasonable basis for apportioning special benefit for vacant residential properties. Utilizing this twenty-five percent (25%) apportionment and the number of single-family residential units typically developed per acre of land (an average of 4 residential units per acre) an Equivalent Benefit Unit of 1.0 EBU per acre (4 units per acre x 25%) is derived and presents an appropriate apportionment of special benefit for vacant residential properties. Recognizing that the full and timely utilization of vacant property is reduced as the size of the property increases, it has been determined that the maximum EBU assigned to a vacant residential parcel shall not exceed 25.0 EBU (parcels in excess of 25 acres are assigned 25.0 EBU). Parcels less than one acre, shall be assigned a minimum of 1.0 EBU (similar to a vacant lot within a residential tract).
- (7) Exempt Parcels** — This land use identifies properties that are not assessed and are assigned 0.0 EBU. This land use classification may include but is not limited to:
- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);
  - Dedicated public easements including open space areas, utility rights-of-way, greenbelts, parkways, parks or other publicly owned properties that are part of the District improvements or may provide other benefits to private properties within the District.;

- Private properties that cannot be developed independently from an adjacent property, such as common areas, sliver parcels or bifurcated lots or properties with very restrictive development use;

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment, but shall be reviewed annually by the assessment engineer to confirm the parcels current development status. Government owned properties or public properties are not necessarily exempt properties and shall be subject to special benefit assessment unless it qualifies for an exempt status.

**(8) Special Cases** — In many districts where multiple land use classifications are involved, there are usually one or more properties for which the standard land use classifications do not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a Vacant Residential property, however only a small percentage of the parcel’s total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel.

The following table provides a summary of land use classifications and the Equivalent Benefit Unit calculations previously outlined.

Property Type	Equivalent Benefit Units	Multiplier
Single-family Residential	1.00	Per Unit/Lot/Parcel
Multi-family Residential	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Condominium/Townhome Units	0.75	Per Unit
Modified Housing/Senior Housing Units	0.625	Per Unit
Planned Residential Development	1.00	Per Planned SF Residential Lot
	0.75	Per Planned Condominium
	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Vacant Residential Land	1.00	Per Acre
Exempt Parcels	0.00	Per Parcel

The following formula is used to calculate each parcel’s EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acres or Units} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBU’s) is the sum of the individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total number of EBU’s of the parcels benefiting from the improvements. This Rate is then applied back to each parcel’s individual EBU to determine the parcel’s proportionate benefit and assessment obligation for the improvements.

**Total Balance to Levy / Total EBU = Levy per EBU**

**Levy per EBU x Parcel EBU = Parcel Levy Amount**

## 5.4 Assessment Range Formula

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIIC and XIID), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District formation, the notice and assessment ballots presented to the property owners for approval included a maximum assessment amount for Fiscal Year 2005/2006 (initial maximum assessment), identification of the corresponding maximum assessment rate and a summary of the Assessment Range Formula described herein.

The Assessment Range Formula for this District shall be applied to the future assessments and is generally defined:

- If the proposed annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment Rate, then the proposed annual assessment is not considered an increased assessment.
- The Maximum Assessment Rate is equal to the (Initial) Maximum Assessment Rate established for Fiscal Year 2005/2006 adjusted annually by the greater of, three percent (3%) or the annual percentage change in the Consumer Price Index (CPI) of "All Urban Consumers" for the San Francisco-Oakland-San Jose Area from February to February. The Maximum Assessment rate was increased by 5.3024% for Fiscal Year 2023/24.

Beginning with Fiscal Year 2006/2007 and each fiscal year thereafter, the Maximum Assessment Rate has been recalculated and a new Maximum Assessment Rate established for the fiscal year utilizing the Assessment Range Formula described above. The Maximum Assessment Rate is calculated independent of the District's annual budget and proposed assessment. The annual percentage change in CPI is based on available data provided by the U.S. Department of Labor; Bureau of Labor Statistics at the time the annual Report is prepared. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living. In January 2018, BLS introduced a new geographic area sample for the CPI. As part of the change the index for this area was renamed from San Francisco-Oakland-San Jose to San Francisco-Oakland-Hayward. The metropolitan area is comprised of Alameda, Contra Costa, Marin, San Francisco, San Mateo Counties in the State of California. This CPI will be used going forward.

Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the method of

apportionment that increase the proportional special benefit assigned to a particular land use classification would be considered an increased assessment. Conversely, reductions in the proportional special benefit assigned to a land use classifications is permitted. Changes in land use or size of an individual property resulting in an assessment increase, is not considered an increased assessment.

To impose a new or increased assessment other than the annual inflationary adjustment provided by the preceding Assessment Range Formula, the City must comply with the provisions of the California Constitution Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve a proposed new or increased assessment before such an assessment may be imposed.

## 6. ASSESSMENT DIAGRAM

The parcels within the Street and Storm Drain Maintenance District No. 03 (De Anza Estates) consist of the lots, parcels and subdivisions of land located in the residential development known as De Anza Estates, Tract 2498. The District covers approximately seventy-six acres (75.84 acres) in the northern portion of the City of Atascadero.

The following map is based on the District Diagram, the San Luis Obispo County Assessor's Maps and the San Luis Obispo County Assessor's information and identifies the parcels of land within the proposed District, as the same existed at the time the District was formed. The combination of the District Diagram on file with the City Clerk and the Assessment Roll contained in this Report constitute the District Assessment Diagram.



## 7. ASSESSMENT ROLL

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Parcel identification for each lot or parcel within the District is based on the Assessment Diagram presented herein and is based on available parcel maps and property data from the San Luis Obispo County Assessor's Office at the time the Engineer's Report was prepared. A listing of the proposed lots and parcels to be assessed within this District along with the assessment amounts is provided herein.

Non-assessable lots or parcels may include, but are not limited to public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas, rights-of-way, common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has little or no value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate described in this Report as approved by the City Council. Therefore, if a single assessor's parcel has a status change in development, other land use change, or subdivides into multiple assessor's parcels, the assessment amounts applied to each of the new assessor's parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment amount.



City of Atascadero

Street & Storm Drain Maintenance No. 3  
 Final Billing Detail Report for Fiscal Year 2023/24

APN	Address	Land Use	Zone	Benefit Units	Max Assessment	Levy Amount
049-044-002	755 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	\$681.50
049-044-003	765 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-004	805 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-005	905 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-006	955 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-007	1025 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-008	1055 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-009	1155 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-010	1255 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-011	1305 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-012	1355 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-013	1200 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-014	1100 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-015	1000 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-016	950 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-017	860 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-018	850 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-019	870 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-020	880 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-044-021	705 DE ANZA CT	Single Family Residential	B	1.0	1,104.46	681.50
049-044-022	725 DE ANZA CT	Single Family Residential	B	1.0	1,104.46	681.50
049-044-023	750 DE ANZA CT	Single Family Residential	B	1.0	1,104.46	681.50
049-044-024	740 DE ANZA CT	Single Family Residential	B	1.0	1,104.46	681.50
049-044-025	720 DE ANZA CT	Single Family Residential	B	1.0	1,104.46	681.50
049-044-026	700 DE ANZA CT	Single Family Residential	B	1.0	1,104.46	681.50
049-044-033	655 N FERROCARRIL RD	Single Family Residential	B	1.0	1,104.46	681.50
049-046-002	503 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-003	505 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04

Slight variances may occur due to rounding

City of Atascadero

Street & Storm Drain Maintenance No. 3  
 Final Billing Detail Report for Fiscal Year 2023/24

APN	Address	Land Use	Zone	Benefit Units	Max Assessment	Levy Amount
049-046-004	507 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-005	509 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-006	511 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-007	513 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-008	515 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-009	517 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-010	519 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-011	521 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-012	524 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-013	526 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-014	528 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-015	530 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-016	532 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-017	534 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-018	536 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-019	538 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-020	540 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-021	542 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-022	572 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-023	574 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-024	576 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-025	578 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-026	580 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-027	582 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-028	584 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-029	586 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-030	588 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-031	590 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04

Slight variances may occur due to rounding

City of Atascadero

Street & Storm Drain Maintenance No. 3  
 Final Billing Detail Report for Fiscal Year 2023/24

APN	Address	Land Use	Zone	Benefit Units	Max Assessment	Levy Amount
049-046-032	592 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-033	551 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-034	553 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-035	555 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-036	557 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-037	559 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-038	561 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-039	563 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-040	565 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-041	567 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-042	595 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-043	597 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-044	599 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-045	603 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-046	605 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-047	601 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-048	609 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-049	607 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-050	610 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-051	612 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-052	614 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-053	616 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-054	618 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-055	620 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-056	622 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-057	624 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-058	626 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-059	628 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04

Slight variances may occur due to rounding

**City of Atascadero**  
**Street & Storm Drain Maintenance No. 3**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Zone	Benefit Units	Max Assessment	Levy Amount
049-046-060	630 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
049-046-061	501 N FERROCARRIL RD	Senior Housing Units	A	1.0	893.34	214.04
<b>86 Accounts</b>				<b>86.0</b>	<b>82,316.66</b>	<b>\$30,561.40</b>
<b>86 Total Accounts</b>				<b>86.0</b>	<b>82,316.66</b>	<b>\$30,561.40</b>

**DRAFT RESOLUTION D**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE ATASCADERO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 3 (DE ANZA ESTATES) FOR FISCAL YEAR 2023/2024 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council has, by previous Resolutions, formed the Atascadero Landscaping and Lighting Maintenance District No. 3 (hereafter referred to as “District”) pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the “Act”) that provides for levy and collection of assessments by the County of San Luis Obispo for the City of Atascadero to pay the maintenance and services of lighting facilities, landscaping, and appurtenant facilities and operations related thereto; and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the City Council has retained NBS for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1. Engineer’s Annual Levy Report:** The City Council hereby orders NBS to prepare the Engineer’s Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622* of the Act.

**SECTION 2. Proposed Improvements and Any Substantial Changes in Existing Improvements:** The improvements within the District include the ongoing operation, administration, maintenance, servicing and incidental expenses related to the dedicated landscape areas, public street lighting and appurtenant facilities authorized pursuant to the Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or right-of-ways constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District. The Engineer's Annual Levy Report describes any new improvements or substantial changes in existing improvements.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION E**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, FOR PRELIMINARY APPROVAL OF  
THE ENGINEER’S ANNUAL LEVY REPORT FOR THE ATASCADERO  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 3  
(DE ANZA ESTATES) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) does resolve as follows:

**WHEREAS**, the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the “Report”) for the district known and designated as the Atascadero Landscaping and Lighting Maintenance District No. 3 (hereafter referred to as the “District”) pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the “Act”); and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the City Council has now been presented with the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and

**WHEREAS**, the City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the Report, each of the budget items and documents as set forth therein and is satisfied on a preliminary basis that the proposed assessments have been spread in accordance with the benefits received from the improvements, operation, maintenance, and services to be performed within each benefit zone as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** That the presented Report consists of the following:

- a. A Description of the Improvements
- b. The Annual Budget (Costs and Expenses of Services, Operation, and Maintenance)
- c. The Method of Apportionment that details the method of calculating each parcel’s proportional special benefits and annual assessment.
- d. The District Roll containing the proposed assessment for each parcel within the District for Fiscal Year 2023/2024.

**SECTION 3.** The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk



**DRAFT RESOLUTION F**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, DECLARING ITS INTENTION TO LEVY  
AND COLLECT ASSESSMENTS FOR THE ATASCADERO  
LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 03  
(DE ANZA ESTATES) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) does resolve as follows:

**WHEREAS**, The City Council has by previous Resolution initiated proceedings for fiscal year 2023/2024 regarding the levy and collection of assessments for the Atascadero Landscaping and Lighting District No. 3 (hereafter referred to as the “District”). Pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with section 22500)* (hereafter referred to as the “Act”), assessments for the District shall be levied and collected by the County of San Luis Obispo for the City of Atascadero to pay the maintenance and services of the improvements and facilities related thereto; and

**WHEREAS**, the proposed District assessments for fiscal year 2023/2024 are less than or equal to the maximum assessments previously approved in accordance with the requirements of the California Constitution, Article XIID; and

**WHEREAS**, there has now been presented to this City Council an Engineer’s Annual Levy Report (hereafter referred to as the “Engineer’s Report”), and said Engineer’s Report has been filed with the City Clerk in accordance with the Act; and

**WHEREAS**, the City Council has examined and reviewed the Engineer’s Report as presented and is satisfied with the Report, each of the budget items and documents as set forth therein and is satisfied that the proposed assessments contained therein, have been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed within the District, as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the Act, over and including the lands, lots and parcels within the District boundary. The City Council further declares its intention to levy and collect assessments on such land to pay the annual costs and expenses of the improvements and services described in Section 4 of this Resolution, for fiscal year 2023/2024.

**SECTION 3.** The boundaries of the District are described in the Engineer’s Report and are consistent with the boundary established and described in the original formation documents, on file with the City Clerk, and incorporated herein by reference. The District is within the boundaries of the City of Atascadero, within the County of San Luis Obispo, State of California and includes the territory known as De Anza Estates and referred to as the “Atascadero Landscaping and Lighting District No. 03”.

**SECTION 4.** The improvements within the District include the ongoing maintenance, operation and servicing of local landscaping and street lighting improvements established or installed in connection with development of properties within the District. These improvements generally include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or right-of-ways constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District.

**SECTION 5.** The proposed assessments for fiscal year 2023/2024, as outlined in the Engineer’s Report, do not exceed the maximum assessment approved by the property owners through a property owner balloting proceeding conducted in 2005. As such, the proposed assessments do not constitute an increased assessment and do not require additional property owner approval in accordance with the requirements of the California Constitution, Article XIID.

**SECTION 6.** The City Council hereby declares its intention to conduct a Public Hearing concerning the District and the levy of assessments in accordance with Chapter 3, Section 22626 of the Act.

**SECTION 7.** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday, June 13, 2023, at 6:00 p.m., at the City Council Chambers, 6500 Palma Avenue, Atascadero, California or as soon thereafter as feasible. At the Public Hearing, all interested persons shall be given an opportunity to hear and be heard on the proposed assessment to be levied for fiscal year 2023/2024 as contained in the Engineer’s Report on file in the City Clerk’s Office.

**SECTION 8.** The City Clerk shall give notice of the time and place of the Public Hearing to all property owners within the District pursuant to Sections 22626, 22552 and 22553 of the Act and 6061 of the Government Code by publishing this Resolution of Intention in a local newspaper one time at least 10 days prior to the Public Hearing.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

# CITY OF ATASCADERO

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*Fiscal Year 2023/24 Engineer's Report For:*

**Landscaping and Lighting District**

**No. 03 (De Anza Estates)**

**May 2023**

Prepared by:



[nbsgov.com](http://nbsgov.com)

**CITY OF ATASCADERO**  
**Landscaping & Lighting District No. 03**  
**(De Anza Estates)**

**6500 Palma Avenue**  
**Atascadero, CA 93422**  
**Phone – (805) 461-5000**  
**Fax – (805) 461-7612**

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**CITY COUNCIL**

Heather Moreno, Mayor

Susan Funk, Mayor Pro Tem

Charles Bourbeau, Council Member

Mark Dariz, Council Member

Heather Newsom, Council Member

**AGENCY STAFF**

Rachelle Rickard, City Manager

Jeri Rangel, Administrative Services Director

Cindy Chavez, Deputy Director of Administrative Services

**NBS**

Tim Seufert, Client Services Director

Adina McCargo, Project Manager

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# 1. ENGINEER’S LETTER

**WHEREAS**, on August 9, 2005, by Resolution No. 2005-074, the City Council of the City of Atascadero (the “City”), State of California, in accordance with and pursuant to the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500 (the “1972 Act”) established the City of Atascadero Landscaping and Lighting District No. 03 De Anza Estates (the “District”); and

**WHEREAS**, on May 9, 2023, the City Council, under the 1972 Act, adopted its Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer’s Report for the District; and

**WHEREAS**, the Resolution Initiating Proceedings directed NBS to prepare and file a report describing the general nature, location, and extent of the improvements to be maintained; an estimate of the costs of the maintenance, operations, and servicing of the improvements for the District for the referenced fiscal year; a diagram for the District, showing the area and properties to be assessed; and an assessment of the estimated costs of the administration, maintenance, operations, and servicing the improvements, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received.

**NOW THEREFORE**, the assessments as detailed in this Engineer’s Report and as summarized in the table below are made to cover the portion of the estimated costs of maintenance, operation and servicing of the improvements to be paid by the assessable real property within the District in proportion to the special benefit received. The following table summarizes the proposed assessment for Fiscal Year 2023/24:

**FY 2023/24 Budget Summary**

Description	Total Costs	Costs Not Assessed	Proposed Assessment	Total Benefit Units	Maximum Rate	Proposed Rate Per BU
Annual Maintenance	\$12,010	(\$708)	\$11,302			
Special Projects	7,500	0	7,500			
Administration	7,150	0	7,150			
Capital Reserve	(886)	(500)	(1,386)			
Collections/(Use)	(9,899)	1,208	(8,691)			
<b>Total</b>	<b>\$15,875</b>	<b>\$0</b>	<b>\$15,875</b>	<b>63.50</b>	<b>\$1,583.66</b>	<b>\$250.00</b>

I, the undersigned, respectfully submit the enclosed Engineer’s Report and, to the best of my knowledge, information, and belief, the Engineer’s Report, Assessments, and the Assessment Diagram herein have been prepared, computed, and levied in accordance with the assessment methodology adopted, approved, and ordered by the City Council of the City of Atascadero and the 1972 Act.

\_\_\_\_\_  
 City Engineer



## 2. EXECUTIVE SUMMARY

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Pursuant to the provisions of the Landscaping and *Lighting Act of 1972*, being *Part 2 of Division 15* of the *California Streets and Highways Code*, commencing with *Section 22500* (hereafter referred to as the “1972 Act”), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIID (hereafter referred to as “Article XIID”), the City Council of the City of Atascadero, County of San Luis Obispo, State of California (hereafter referred to as “City”), executed the proceedings required for the establishment of the special benefit assessment district designated as:

### ***Landscaping and Lighting District No. 03 (De Anza Estates)***

(hereafter referred to as the “District”), which includes the lots and parcels of land within the residential subdivision known as De Anza Estates, Tract 2498 within the City limits of the City. This Engineer’s Report (hereafter referred to as the “Report”) has been prepared in connection with the levy and collection of annual assessments related thereto for Fiscal Year 2023/24, as required pursuant to Chapter 1, Article 4 of the 1972 Act.

The City Council formed the District, and provided for the levy and collection of annual assessments on the County tax rolls to provide ongoing funding for the costs and expenses required to service and maintain the landscaping and lighting improvements associated with and resulting from the development of properties within the District. The improvements to be provided by the District and the assessments described herein are made pursuant to the 1972 Act and the substantive and procedural provisions of Article XIID.

This Report describes the District, the improvements, and the proposed assessments to be levied against properties in connection with the special benefits the properties will receive from the maintenance and servicing of the District improvements. The annual assessments will provide a funding source for the continued operation and maintenance of public landscaping and lighting improvements installed in connection with the development of properties within the District.

The improvements and assessments described in this Report are based on the planned development of properties within the District and represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to maintain and service the improvements. The boundaries of the District, the proposed improvements, the method of apportionment, and assessments described herein are based on current development plans and specifications for Tract 2498; and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the San Luis Obispo County Assessor’s Office. The San Luis Obispo County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers to identify properties to be assessed on the tax roll for the special benefit assessments.

As part of the District formation, the City of Atascadero conducted a Property Owner Protest Ballot proceeding for the proposed levy of a new assessment pursuant to the provisions of the California Constitution, Article XIID Section 4. In conjunction with this ballot proceeding, the City Council conducted a noticed public hearing on August 9, 2005 to consider public testimonies, comments and written protests

regarding the formation of the District and levy of assessments. Upon conclusion of the public hearing, property owner protest ballots received were opened and tabulated to determine whether majority protest existed (ballots were weighted based on assessment amounts), and by resolution the City Council confirmed the results of the ballot tabulation. Tabulation of the ballots indicated that majority protest did not exist for the proposed assessments and the assessment range formula presented and described herein, the City Council approved the Report (as submitted or amended), ordered the formation of the District, and approved the levy and collection of assessments. The assessments for Fiscal Year 2005/2006 were submitted to the San Luis Obispo County Auditor/Controller for inclusion on the property tax roll for each parcel.

Each subsequent fiscal year, an Engineer's Report shall be prepared and presented to the City Council describing the District any changes to the District or improvements and the proposed budget and assessments for that fiscal year and the City Council shall hold a noticed public hearing regarding these matters prior to approving and ordering the proposed levy of assessments. If the proposed assessments for the District exceed the maximum assessment described herein (as approved by the property owners), the new or increased assessment must be confirmed through another property owner protest ballot proceeding before such an assessment may be imposed. It should be noted that an increased assessment to an individual property resulting from changes in development or land use does not constitute an increased assessment.



## 3. PLANS AND SPECIFICATIONS

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### 3.1 Description of the District

The territory within the District consists of the lots, parcels and subdivisions of land within the proposed residential subdivision known as the De Anza Estates, Tract 2498, which encompasses an area of land totaling approximately seventy-six acres (75.84 acres).

This subdivision is planned to include twenty-six (26) Single-Family Residential Units and sixty (60) Modified Housing/Senior Housing Units at build-out. The planned subdivision is situated in the northern portion of the City of Atascadero northeast of Highway 101 and is generally located:

- At the North end of El Camino Real;
- North and East of U.S. HWY 101; and,
- South and West of the Salinas River.

### 3.2 Improvements and Services Authorized by the 1972 Act

As generally defined by the 1972 Act and applicable to this District, the improvements and associated assessments may include one or more of the following:

- 1) The installation or planting of landscaping;
- 2) The installation or construction of statuary, fountains, and other ornamental structures and facilities;
- 3) The installation or construction of public lighting facilities including, but not limited to street lights and traffic signals;
- 4) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof;
- 5) The installation of park or recreational improvements, including, but not limited to, all of the following:
  - a) Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
  - b) Lights, playground equipment, play courts, and public restrooms.
- 6) The acquisition of land for park, recreational, or open-space purposes or any existing improvement otherwise authorized pursuant to this section.
- 7) The maintenance or servicing, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement including but not limited to:
  - a) Repair, removal, or replacement of all or any part of any improvements;
  - b) Grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
  - c) Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
  - d) The removal of trimmings, rubbish, debris, and other solid waste;

- e) The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
  - f) Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements;
  - g) Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.
- 8) Incidental expenses associated with the improvements including, but not limited to:
- a) The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
  - b) The costs of printing, advertising, and the publishing, posting and mailing of notices;
  - c) Compensation payable to the County for collection of assessments;
  - d) Compensation of any engineer or attorney employed to render services;
  - e) Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
  - f) Costs associated with any elections held for the approval of a new or increase assessment.

### 3.3 Description of Improvements and Services

The purpose of this District is to ensure the ongoing maintenance, operation and servicing of local landscaping and street lighting improvements established or installed in connection with development of properties within the District. The improvements may consist of all or a portion of the public landscaped areas, street lighting and appurtenant facilities within and adjacent to the District (Tract 2498). These improvements generally include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or rights-of-way constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District. The improvements to be maintained and funded entirely or partially through the District assessments are generally described as:

- Streetscape landscaping including street trees located on the perimeter of the development and interior streets of Tract 2498 that are within the public rights-of-way or easements and dedicated to the City for maintenance;
- Open space areas and fuel modification areas within or adjacent to the District boundaries;
- Park areas, recreational equipment, trails and landscaped drainage facilities developed and constructed as part of developing properties within Tract 2498;
- Specifically not included as District improvements are those improvements located on private property, improvements and facilities that may be provided or maintained by an agency other than the City; improvements and facilities that may be provided by another assessment or tax levied by the City or any improvement provided and maintained by a Homeowner's Association or similar entity.
- Public lighting facilities including street lighting, safety lighting and ornamental lighting installed as part of the residential development or landscaped improvement areas;
- Appurtenant facilities, equipment, materials and utilities related to the aforementioned improvements;
- Specifically not included as District improvements are those improvements located on private property, improvements and facilities that may be provided or maintained by an agency other than the City;

improvements and facilities that may be provide by another assessment or tax levied by the City or any improvement provided and maintained by a Homeowner’s Association or similar entity.

Detailed maps and descriptions of the location and extent of the specific improvements to be maintained by the District are on file in the Office of Public Works and by reference are made part of this Report. Those portions of the District improvements that may be identified as general benefit or will be funded in whole or in part by other revenue sources as part of the approved development agreements, will not be included as part of the District assessments. The net annual cost to provide and maintain the improvements determined to be of special benefit shall be allocated to each property in proportion to the special benefits received.

### 3.3.1 LANDSCAPE IMPROVEMENTS

The landscape improvements for the District may include, but are not limited to turf, ground cover, shrubs and plants, trees, irrigation and drainage systems, ornamental lighting, masonry walls or other fencing, hardscape improvements, monuments, and associated appurtenant facilities located within the landscape easements or public rights-of-way. Specifically the landscape improvement areas for this District are identified as:

- Approximately 43,560 square feet of streetscape (parkway embankment) landscaping within the public rights-of-way located on El Camino Real within the boundaries of Tract 2498;
- An estimated 150 trees, including trees within the landscaped area on El Camino Real, various trees within the open space area and the street trees within the street right-of-way on Ferrocarril Road;
- Approximately 175,550 square feet (4.03 acres) of landscaped area in and around the two (2) drainage basins within Tract 2498;
- Approximately fifty-one (51) acres of non-irrigated open space area;
- Approximately 48,000 square feet of paved and unpaved trails; and 2,600 linear feet of steel rail fencing along the trail system and landscaped areas.

### 3.3.2 PUBLIC LIGHTING IMPROVEMENTS

The approved development plans for Tract 2498 do not include any proposed streetlight facilities.

## 4. ESTIMATE OF COSTS

BUDGET	Total Budget	Costs Not Assessed	2023/24 Assessment
<b>DIRECT COSTS</b>			
<b>Annual Costs</b>			
Landscape Services	\$6,500	(\$708)	\$5,792
Landscape Supplies	600	0	600
Landscape Utilities	1,400	0	1,400
City Landscape Services	3,460	0	3,460
Other Maintenance Services	50	0	50
<b>Total Annual Direct Costs</b>	<b>\$12,010</b>	<b>(\$708)</b>	<b>\$11,110</b>
<b>CAPITAL EXPENDITURES</b>			
Special Projects	\$7,500	\$0	\$7,500
<b>Total Annual Special Projects</b>	<b>\$7,500</b>	<b>\$0</b>	<b>\$7,500</b>
<b>ADMINISTRATION EXPENSES</b>			
<b>Annual Administration Expenses</b>			
City Annual Administration	\$2,270	\$0	\$2,270
Engineer's Report & Services	4,530	0	4,530
Public Noticing	350	0	350
<b>Total Administration</b>	<b>\$7,150</b>	<b>\$0</b>	<b>\$7,150</b>
<b>TOTAL DIRECT &amp; ADMINISTRATION COSTS</b>	<b>\$26,660</b>	<b>(\$708)</b>	<b>\$25,760</b>
<b>CAPITAL RESERVE COLLECTIONS/(USES)</b>			
Landscape Rehabilitation/Replacement	\$762	\$0	\$762
Trail and Pathway Rehabilitation/Replacement	1,000	(500)	500
Park and Open Space Rehabilitation/Replacement	707	0	707
Tree Rehabilitation/Replacement	(6,293)	0	(6,293)
Park Rehabilitation/Replacement	2,938	0	2,938
<b>Total Annual Capital Reserve Collections/(Uses)</b>	<b>(\$886)</b>	<b>(\$500)</b>	<b>(\$1,386)</b>
<b>LEVY ADJUSTMENTS</b>			
Interest Income - Improvement Fund	(\$3,022)	\$0	(\$3,022)
Interest Income - Operating Reserve Fund	(398)	0	(398)
Contribution from Other Sources	(1,208)	(1,208)	0
Reserve Collection/(Use)	(5,271)	0	(5,271)
<b>Total Levy Adjustments</b>	<b>(9,899)</b>	<b>(\$1,208)</b>	<b>(\$8,691)</b>
<b>BALANCE TO LEVY</b>	<b>\$15,875</b>	<b>\$0</b>	<b>\$15,875</b>
<b>DISTRICT STATISTICS</b>			
Total Parcels			89
Parcels Levied			86
Total EBU <sup>(1)</sup>			63.50
<b>Levy per EBU</b>			<b>\$250.00</b>
Maximum Levy per EBU			\$1,583.66
<b>FUND BALANCE INFORMATION</b>			
Beginning Operating Reserve Balance			\$11,633
Operational Reserve Interest			398
Surplus Transfer from Improvement Fund			9,398
Operational Reserve Collection/(Use)			(8,691)
Estimated Ending Operating Reserve Balance			<b>\$ 12,738</b>
Beginning Improvement Fund Balance			\$105,430
Improvement Fund Interest			3,022
Surplus Transfer to Operations Fund			(9,398)
Improvement Fund Collection/(Use)			(\$886)
Estimated Ending Improvement Fund Balance			<b>\$98,168</b>

<sup>(1)</sup> Levy per EBU rate does not include the County of San Luis Obispo fee of \$2.00 per parcel.

## 5. METHOD OF ASSESSMENT

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### 5.1 General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

*“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”*

The method of apportionment described in this Report for allocation of special benefit assessments utilizes commonly accepted engineering practices and have been established pursuant to the 1972 Act and the provisions of Article XIID. The formulas used for calculating assessments reflects the composition of parcels within the District and the improvements and services provided, to fairly apportion the costs based on the special benefits to each parcel.

### 5.2 Benefit Analysis

Each of the proposed improvements, the associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the 1972 Act and Article XIID. The improvements provided by this District and for which properties will be assessed have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential, consistent with the development plans and applicable portions of the City General Plan. As such, these improvements would be necessary and required of individual property owners for the development of such properties and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of ensuring the maintenance and operation of the improvements are a distinct and special benefit to the properties within the District. Any improvement or portion thereof that is considered to be of general benefit shall be funded by other revenue sources and not included as part of the special benefit assessments allocated to properties within the District.

#### 5.2.1 SPECIAL BENEFIT

The method of apportionment (method of assessment) established herein is based on the premise that each assessed parcel within the District receives special benefits from the improvements and the desirability and security of those properties is enhanced by the presence of public lighting and well-maintained landscaping in close proximity to those properties.

The special benefits associated with landscape improvements are specifically:

- Enhanced desirability of properties through association with the improvements.
- Improved aesthetic appeal of properties providing a positive representation of the area and properties.
- Enhanced adaptation of the urban environment within the natural environment from adequate green

space and landscaping.

- Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention.
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
- Enhanced quality of life through well-maintained green space and landscaped areas.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting and other public lighting facilities are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on roads, streets and public areas.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to property.
- Reduced vandalism and other criminal act and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

The preceding special benefits contribute to the esthetic value and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of the properties. Furthermore, it has been determined that the lack of funding to properly service and maintain the District improvements would have a negative impact on the properties within the District.

### 5.2.2 GENERAL BENEFIT

Upon reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District as well as the reasons for installing, constructing and maintaining such improvements, it is evident that the properties within the District receive special benefit from those improvements. While the District improvements clearly include public areas, easements, rights-of-way and other amenities available or visible to the public at large, the landscaped areas, trails, detention basin as well as the need to increase maintenance activities within the open space areas resulted solely from the development of properties within the District and would otherwise not have been required nor necessarily desired by any properties or developments outside the District and any public access or use of the improvements by others is incidental. Therefore, it has been determined that these improvements and the ongoing maintenance, servicing and operation of those improvements provide no measurable general benefit to properties outside the District or to the public at large. However, while this development has facilitated a need for increased maintenance of the open space area associated with Tract 2498, it is also recognized that land conservation and ensuring adequate open space areas within the City does have some indirect, but not quantifiable, benefit to the community at large. Therefore, while the entire cost to maintain the open space area as well as the Horse Arena facility have been incorporated into the District budget, the annual cost to maintain the arena and a portion of the

open space area are not included in the proposed special benefit assessments. Should the City require maintenance of these areas, the associated costs will be funded by other revenue sources available to the City.

### 5.3 Assessment Methodology

The method of apportionment for the District calculates the receipt of special benefit from the respective improvements based on the actual or proposed land use of the parcels within the District. The special benefit received by each lot or parcel is equated to the overall land use of parcels within the District based on the parcel's actual land use or proposed development.

The costs associated with the improvements shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with the Article XIID Section 4, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements.

To identify and determine the special benefit to be received by each parcel and their proportionate share of the improvement costs it is necessary to consider the entire scope of the planned improvements as well as individual property development within the District. Upon review of the proposed improvements it has been determined that each of the residential parcels within the District receives special benefits from the improvements to be funded by annual assessments and based on the planned property development a single zone of benefit is appropriate for the allocation of the assessments and proportional benefit.

#### 5.3.1 EQUIVALENT BENEFIT UNITS:

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of the other properties within the District. The method of apportionment established for most districts formed under the 1972 Act utilizes a weighted method of apportionment known as an Equivalent Benefit Unit methodology that uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Benefit Unit (EBU) and the other land uses are converted to a weighted EBU based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

Although the Equivalent Benefit Unit method of apportioning special benefit is most commonly used and applied to districts that have a wide range of land use classifications (residential and non-residential use), this District is comprised of only residential properties and the following apportionment analysis of special benefit addresses only residential land uses. Not all land use types described in the following are necessarily applicable to the development of properties within this District, but are presented for comparison purposes to support the proportional special benefit applied to those land use types within the District.

#### 5.3.2 EBU APPLICATION BY LAND USE:

- (1) **Single-family Residential** — This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.00 EBU per lot or parcel. This is the base value

that the other properties are compared and weighted against regarding special benefit.

- (2) Multi-family Residential** — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property. (This land use typically includes apartments, duplexes, triplex etc., but does not generally include condominiums, town-homes or mobile home parks). Based on average population densities and size of the structure as compared to a typical single-family residential unit, multi-family residential parcels shall be proportionately assessed for the parcel’s total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single-family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single-family residence (Sample Sources: Institute of Transportation Engineers Informational Report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Edition). These various studies indicate that most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by this District, an appropriate allocation of special benefit for multi-family residential properties as compared to a single-family residential is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 50 units; 0.50 EBU per unit for units 51 through 100; and 0.25 EBU per unit for remaining units.
- (3) Condominium/Town-home Units** — Condominiums and town-homes tend to share attributes of both single-family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single-family residential properties, these properties are not usually considered rental property and generally, the County assigns each unit a separate APN or assessment number. However, condominiums and town-homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors, it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to an APN. (There is no adjustment for parcels with more than five units).
- (4) Modified Housing/Senior Housing Units** — Modified Housing or Senior Housing is generally defined as residential units that would typically be classified as Condominiums or Town-homes, but have specific deed restrictions that may limit the size or use of all units within the development. This classification is not applicable to individual single-family residential parcels unless all single-family residential parcels within that particular development or subdivision have the same restrictions. (For example: One or more single-family units within a subdivision that are deed restricted as “Affordable Housing” or “Senior Housing” does not qualify for this land use classification, unless all the units within that development have the same or similar deed restrictions.) Since this classification generally involves Condominium or Town-home type properties, that are generally



assigned 0.75 EBU, it has been determined that an appropriate allocation of special benefit for modified housing units or senior housing units is best represented by an assignment of 0.625 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to a single APN.

- (5) Planned-Residential Development** — This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the District. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionately for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out. (The EBU assigned to each parcel shall represent the combination of single-family, condominium, multi-family units to be developed).
- (6) Vacant Residential** — This land use is defined as property currently zoned for residential development, but a tentative or final tract map for the property has not yet been approved. Based upon the opinions of professional appraisers who appraise market property values for real estate in California, the land value portion of a property typically ranges from 20 to 30 percent of the total value of a developed residential property (the average is about 25 percent). Although the assessed value of an individual property is not a direct reflection of the property's special benefit, this general correlation between land value and structure value does provide a reasonable basis for apportioning special benefit for vacant residential properties. Utilizing this twenty-five percent (25%) apportionment and the number of single-family residential units typically developed per acre of land (an average of 4 residential units per acre) an Equivalent Benefit Unit of 1.00 EBU per acre (4 units per acre x 25%) is derived and presents an appropriate apportionment of special benefit for vacant residential properties. Recognizing that the full and timely utilization of vacant property is reduced as the size of the property increases, it has been determined that the maximum EBU assigned to a vacant residential parcel shall not exceed 25.00 EBU (parcels in excess of 25 acres are assigned 25.00 EBU). Parcels less than one acre, shall be assigned a minimum of 1.00 EBU (similar to a vacant lot within a residential tract).
- (7) Exempt Parcels** — This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to:
- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);
  - Dedicated public easements including open space areas, utility rights-of-way, greenbelts, parkways, parks or other publicly owned properties that are part of the District improvements or may provide other benefits to private properties within the District;
  - Private properties that cannot be developed independently from an adjacent property, such as common areas, sliver parcels or bifurcated lots or properties with very restrictive development use;

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment, but shall be reviewed annually by the assessment engineer to confirm the parcels’ current development status. Government owned properties or public properties are not necessarily exempt properties and shall be subject to special benefit assessment unless it qualifies for an exempt status.

- (8) **Special Cases** — In many districts where multiple land use classifications are involved, there are usually one or more properties for which the standard land use classifications do not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a Vacant Residential property, however only a small percentage of the parcel’s total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel.

The following table provides a summary of land use classifications and the Equivalent Benefit Unit calculations previously outlined.

Property Type	Equivalent Benefit Units	Multiplier
Single-family Residential	1.00	Per Unit/Lot/Parcel
Multi-family Residential	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Condominium/Townhome Units	0.75	Per Unit
Modified Housing/Senior Housing Units	0.625	Per Unit
Planned Residential Development	1.00	Per Planned SF Residential Lot
	0.75	Per Planned Condominium
	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Vacant Residential Land	1.00	Per Acre
Exempt Parcels	0.00	Per Parcel

The following formula is used to calculate each parcel’s EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acres or Units} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBU’s) is the sum of the individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total number of EBU’s of the parcels benefiting from the improvements. This Rate is then applied back to each parcel’s individual EBU to determine the parcel’s proportionate benefit and assessment obligation for the improvements.

$$\text{Total Balance to Levy} / \text{Total EBU} = \text{Levy per EBU}$$

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount}$$

## 5.4 Assessment Range Formula

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIII C and XIII D), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District formation, the notice and assessment ballots presented to the property owners for approval included a maximum assessment amount for Fiscal Year 2005/2006 (initial maximum assessment), identification of the corresponding maximum assessment rate and a summary of the Assessment Range Formula described herein.

The Assessment Range Formula for this District shall be applied to future assessments and is generally defined:

- If the proposed annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment Rate, then the proposed annual assessment is not considered an increased assessment.
- The Maximum Assessment Rate is equal to the (Initial) Maximum Assessment Rate established for Fiscal Year 2005/2006 adjusted annually by the greater of, three percent (3%) or the annual percentage change in the Consumer Price Index (CPI) of "All Urban Consumers" for the San Francisco-Oakland-Hayward Area from February to February. The Maximum Assessment rate was increased by 5.3024% for Fiscal Year 2023/24.

Beginning with Fiscal Year 2006/2007 and each fiscal year thereafter, the Maximum Assessment Rate is recalculated and a new Maximum Assessment Rate is established for the fiscal year utilizing the Assessment Range Formula described above. The Maximum Assessment Rate has been calculated independent of the District's annual budget and proposed assessment. The annual percentage change in CPI is based on available data provided by the U.S. Department of Labor; Bureau of Labor Statistics at the time the annual Report is prepared. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living. In January 2018, BLS introduced a new geographic area sample for the CPI. As part of the change the index for this area was renamed from San Francisco-Oakland-San Jose to San Francisco-Oakland-Hayward. The metropolitan area is comprised of Alameda, Contra Costa, Marin, San Francisco, San Mateo Counties in the State of California. This CPI will be used going forward.

Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the method of apportionment that increase the proportional special benefit assigned to a particular land use classification would be considered an increased assessment. Conversely, reductions in the proportional

special benefit assigned to a land use classifications are permitted. Changes in land use or size of an individual property resulting in an assessment increase, is not considered an increased assessment.

To impose a new or increased assessment other than the annual inflationary adjustment provided by the preceding Assessment Range Formula, the City must comply with the provisions of Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve a proposed new or increased assessment before such an assessment may be imposed.

## 6. ASSESSMENT DIAGRAM

The parcels within the Landscaping and Lighting District No. 03 De Anza Estates consist of the lots, parcels and subdivisions of land located in the planned residential development known as De Anza Estates, Tract 2498. The District covers approximately seventy-six acres (75.84 acres) in the northern portion of the City of Atascadero.

The following map is based on the District Diagram, the San Luis Obispo County Assessor's Maps and the San Luis Obispo County Assessor's information and identifies the parcels of land within the proposed District, as the same existed at the time the District was formed. The combination of the District Diagram on file with the City Clerk and the Assessment Roll contained in this Report constitute the District Assessment Diagram.



## 7. ASSESSMENT ROLL

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Parcel identification for each lot or parcel within the District is based on the Assessment Diagram presented herein and is based on available parcel maps and property data from the San Luis Obispo County Assessor's Office at the time the Engineer's Report was prepared. A listing of the lots and parcels to be assessed within this District along with the assessment amounts is provided herein.

Non-assessable lots or parcels may include, but are not limited to public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas, rights-of-way, common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has little or no value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate described in this Report as approved by the City Council. Therefore, if a single assessor's parcel has a status change in development, other land use change, or subdivides into multiple assessor's parcels, the assessment amounts applied to each of the new assessor's parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment amount.

City of Atascadero

Landscaping & Lighting Maint Dist No. 3  
Final Billing Detail Report for Fiscal Year 2023/24

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
049-044-002	755 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-003	765 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-004	805 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-005	905 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-006	955 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-007	1025 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-008	1055 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-009	1155 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-010	1255 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-011	1305 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-012	1355 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-013	1200 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-014	1100 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-015	1000 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-016	950 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-017	860 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-018	850 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-019	870 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-020	880 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-044-021	705 DE ANZA CT	Single Family Residential	1.00	1,583.67	250.00
049-044-022	725 DE ANZA CT	Single Family Residential	1.00	1,583.67	250.00
049-044-023	750 DE ANZA CT	Single Family Residential	1.00	1,583.67	250.00
049-044-024	740 DE ANZA CT	Single Family Residential	1.00	1,583.67	250.00
049-044-025	720 DE ANZA CT	Single Family Residential	1.00	1,583.67	250.00
049-044-026	700 DE ANZA CT	Single Family Residential	1.00	1,583.67	250.00
049-044-033	655 N FERROCARRIL RD	Single Family Residential	1.00	1,583.67	250.00
049-046-002	503 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-003	505 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-004	507 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-005	509 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25

Slight variances may occur due to rounding

## City of Atascadero

## Landscaping &amp; Lighting Maint Dist No. 3

## Final Billing Detail Report for Fiscal Year 2023/24

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
049-046-006	511 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-007	513 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-008	515 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-009	517 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-010	519 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-011	521 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-012	524 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-013	526 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-014	528 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-015	530 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-016	532 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-017	534 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-018	536 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-019	538 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-020	540 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-021	542 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-022	572 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-023	574 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-024	576 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-025	578 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-026	580 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-027	582 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-028	584 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-029	586 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-030	588 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-031	590 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-032	592 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-033	551 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-034	553 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-035	555 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-036	557 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-037	559 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-038	561 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-039	563 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-040	565 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-041	567 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-042	595 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-043	597 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-044	599 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-045	603 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-046	605 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-047	601 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25

Slight variances may occur due to rounding



**City of Atascadero**  
**Landscaping & Lighting Maint Dist No. 3**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
049-046-048	609 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-049	607 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-050	610 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-051	612 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-052	614 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-053	616 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-054	618 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-055	620 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-056	622 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-057	624 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-058	626 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-059	628 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-060	630 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
049-046-061	501 N FERROCARRIL RD	Senior Housing Units	0.63	989.79	156.25
<b>86 Accounts</b>			<b>63.50</b>	<b>100,562.97</b>	<b>15,875.00</b>
<b>86 Total Accounts</b>			<b>63.50</b>	<b>100,562.97</b>	<b>\$15,875.00</b>

Slight variances may occur due to rounding



# ***Atascadero City Council***

## ***Staff Report – Administrative Services Department***

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### **Las Lomas (Woodridge) Assessment Districts**

#### **RECOMMENDATIONS:**

Council:

1. Adopt Draft Resolution A, initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2023/2024; and
2. Adopt Draft Resolution B, accepting and preliminarily approving the Engineer's Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]); and
3. Adopt Draft Resolution C, declaring the City's intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]) in fiscal year 2023/2024, and to appoint a time and place for the public hearing on these matters; and
4. Adopt Draft Resolution D, initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code; and
5. Adopt Draft Resolution E, for preliminary approval of the Annual Engineer's Levy Report for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2023/2024; and
6. Adopt Draft Resolution F, declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Las Lomas [Woodridge]) for fiscal year 2023/2024.

#### **REPORT-IN-BRIEF:**

The City Council formed and began assessing Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge) in 2005. This district was formed to provide funding for future routine maintenance of the streets, storm drains and sidewalks in the Woodridge subdivision.

The City Council also formed and began assessing Atascadero Landscape and Lighting Maintenance District No. 02 (Woodridge) in 2005. This district was formed to provide for funding and maintenance of street trees, open space, park area, medians, walkways, paths and other landscape and lighting improvements within the Woodridge subdivision.

The Woodridge subdivision is now known as Las Lomas. The Assessment Districts were formed and named when the area was known as the Woodridge development. All references to Woodridge are now understood to mean the development known as Las Lomas.

NBS, an independent financial consultant, was hired to prepare the engineer's report for the two districts. The engineer's report and the levies must be approved by Council annually. This is done in a two-step process. Tonight, there are three resolutions for each district (a total of 6 resolutions in all) that must be passed in order to continue the assessments within the districts. The resolutions passed tonight will also establish the date and time for the public hearing. The public hearing is tentatively scheduled for June 13, 2023, at 6:00 p.m. or soon thereafter, at which time the final resolutions will be presented to the Council for passage.

The proposed assessments for fiscal year 2023/2024 are less than the Maximum Assessment Rate. In accordance with the formula voters of the district adopted in 2005, the City may increase the Maximum Assessment Rate for inflation by the greater of the Consumer Price Index (CPI) or 3.0%. The Maximum Assessment Rate was increased by 5.3% (CPI) this year for both districts.

An Assessment Information Notice was mailed to all property owners on April 12, 2023. The notice provided the date of the upcoming June 13, 2023, Public Hearing, information on how to participate in the meeting, staff contact information, the proposed and current levies for both districts.

The Landscaping and Lighting District levy is about 14% of the allowable maximum annual assessment and the Street and Storm Drain District is about 48% of the allowable maximum annual assessment.

The Landscape and Lighting District is experiencing increased costs due to the aging landscape and increases in costs of labor and utilities. City staff works to maximize efficiencies and minimize levy increases. City staff expect modest levy increases in future years in order to continue providing the existing service levels.

At the direction of the homeowners in attendance at meetings held December 14, 2017, and April 11, 2018, the City staff set the levy for the Street and Storm Drain (SSD) Benefit Assessment District at an amount that will cover short-term maintenance, but will not be sufficient for long-term maintenance and repair.

This Assessment District levy amount is sufficient only for the annual operating costs and a periodic surface treatment (slurry seal) of the roads. As discussed at the aforementioned meetings and the Public Hearings, Neighborhood meetings, and Annual Notices since, these funds will only be enough to cover road maintenance costs through fiscal year 2032/33. Beyond that time, the roads will require more in-depth road

rehabilitation projects that will require significant funding. The estimated cost of that work is just under \$1,000,000 using current dollars, and is the financial obligation of the residents of the Benefit Assessment District. As 2034 approaches, a bond issue or other financing mechanism will need to be approved and paid for by the residents to fund the longer-term improvements needed to maintain the District. This information was included in the Assessment Information Notice that was mailed to the property owners.

District	Amount Per EBU Assessment Fiscal Year 2022-23	Amount Per EBU Proposed Assessment Fiscal Year 2023-24
Atascadero Street and Storm Drain Maintenance District No. 02 Las Lomas	\$ 428.00	\$ 428.00
Atascadero Landscaping and Lighting Maintenance District No. 02 Las Lomas	\$ 304.00	\$ 320.00

**FISCAL IMPACT:**

Annual assessments for 2023/2024 will total \$99,189 for road/drainage system maintenance and \$74,160 for landscape and lighting maintenance. These amounts will be assessed to the owners of parcels in Las Lomas (Woodridge). The City General Fund will contribute \$2,600 for the fiscal year 2023/2024 for 25% of the maintenance costs of the trails and open space.

**ATTACHMENTS:**

1. **Draft Resolution A** - initiating proceedings for the levy and collection of annual assessments for Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge) for fiscal year 2023/2024
2. **Draft Resolution B** - accepting and preliminarily approving the Engineer’s Annual Levy Report regarding the Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge)
3. **Draft Resolution C** - declaring the City’s intention to levy and collect annual assessments within Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge) in fiscal year 2023/2024, and to appoint a time and place for the public hearing on these matters
4. **Engineer’s Annual Levy Report** - for the levy and collection of fiscal year 2023/2024 assessments for Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge)
5. **Draft Resolution D** - initiating proceedings for annual levy of assessments for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Woodridge) for fiscal year 2023/2024 pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code
6. **Draft Resolution E** - preliminary approval of the Annual Engineer’s Levy Report for Atascadero Landscaping and Lighting Maintenance District No. 02 (Woodridge) for fiscal year 2023/2024

7. **Draft Resolution F** - declaring the City's intention to levy and collect assessments for the Atascadero Landscaping and Lighting Maintenance District No. 02 (Woodridge) for fiscal year 2023/2024
8. **Engineer's Annual Levy Report** - for the levy and collection of fiscal year 2023/2024 assessments for Atascadero Landscaping and Lighting District No. 02 (Woodridge)

**DRAFT RESOLUTION A**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, INITIATING PROCEEDINGS FOR THE  
LEVY AND COLLECTION OF ANNUAL ASSESSMENTS FOR  
ATASCADERO STREET AND STORM DRAIN MAINTENANCE  
DISTRICT NO. 02 (WOODRIDGE) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”) formed an assessment district to be designated as Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge) (hereafter referred to as the “District”), for the purpose of funding the ongoing operation, maintenance and servicing of public streets, sidewalks, storm drain and flood control facilities installed in conjunction with the development of properties known as Tract 2525-1; and to levy and collect annual assessments related thereto. The 1982 Act provides for the formation of such an assessment district pursuant to *Article 3 Section 54710*, and provides for the levy and collection of assessments by the County on behalf of the City pursuant to *Article 4 Section 54718*; and

**WHEREAS**, the City Council has retained NBS as the Engineer of Work, for the purpose of assisting with the administration of the District, the establishment of annual assessments, and to prepare and file an Engineer’s Report with the City Clerk in accordance with the 1982 Act; and in accordance with the requirements of the *California Constitution, Articles XIII C and XIII D*.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The City Council hereby orders the Engineer to prepare and file an Engineer’s Annual Levy Report concerning the levy of assessments for properties within the District as specified by *Article 4 Section 54716* of the 1982 Act.

**SECTION 2.** The District improvements include the ongoing operation, administration, maintenance and servicing of the public streets, drainage and flood control systems and appurtenant facilities authorized pursuant to the 1982 Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to pavement, curbs, sidewalks, hardscape, bridges, fencing, signage, drains, pipes, inlets, outlets, catch basins, drainage basins, manholes, and associated appurtenant facilities located within the public street right-of-ways and other public easements within the District.

**SECTION 3.** The territory within Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge) consists of lots, parcels and subdivisions of land located in the development known as Tract 2525-1.

ITEM NUMBER: A-4  
DATE: 05/09/23  
ATTACHMENT: 1

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION B**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ATASCADERO, CALIFORNIA, ACCEPTING AND PRELIMINARILY  
APPROVING THE ENGINEER’S ANNUAL LEVY REPORT REGARDING  
THE ATASCADERO STREET AND STORM DRAIN MAINTENANCE  
DISTRICT NO. 02 (WOODRIDGE)**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council has, by previous Resolution, ordered the preparation of an Engineer’s Annual Levy Report (hereafter referred to as the “Report”) regarding the assessment district to be designated as the Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge) (hereafter referred to as the “District”), and the levy and collection of assessments related thereto, pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”); and

**WHEREAS**, there has now been presented to this City Council the Report as specified by *Article 4 Section 54716* of said 1982 Act; and

**WHEREAS**, the City Council has carefully examined and reviewed the Report as presented, and is preliminarily satisfied with the District and the budget items and documents as set forth therein, and is satisfied that the proposed assessments have been spread in accordance with the special benefits received from the improvements, operation, administration, maintenance and services to be performed within the District, as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1. The preceding recitals are true and correct.**

**SECTION 2. That the Report as presented, consists of the following:**

- a. A Description of Improvements.
- b. A Boundary Diagram of the District.
- c. The Method of Apportionment that details the method of calculating each parcel’s proportional special benefits and annual assessment.
- d. The proposed Budget (Costs and Expenses) and the duration and collection of assessments.
- e. The District Roll containing the Levy for each Assessor Parcel Number within the District for fiscal year 2023/2024.



**SECTION 3.** The Report is hereby approved on a preliminary basis, and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** The Maximum Assessment described in the Report is hereby approved on a preliminary basis.

**SECTION 5.** The City Clerk shall certify to the passage and adoption of this Resolution, and the Minutes of this meeting shall so reflect the presentation of the Report.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

## DRAFT RESOLUTION C

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS WITHIN ATASCADERO STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 02 (WOODRIDGE) IN FISCAL YEAR 2023/2024, AND TO APPOINT A TIME AND PLACE FOR THE PUBLIC HEARING ON THESE MATTERS

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council pursuant to the provisions of the *Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703* (hereafter referred to as the “1982 Act”) did by previous Resolution approve the levy and collection of annual assessments to pay for the operation, maintenance and servicing of public streets, drainage and flood control systems and appurtenant facilities related thereto for the assessment district designated as Atascadero Street and Storm Drain Maintenance District No. 02 (Woodridge) (hereafter referred to as the “District”); and

**WHEREAS**, the Engineer selected by the City Council has prepared and filed with the City Clerk a Report in connection with the proposed District, and the levy of assessments for Fiscal Year 2023/2024 (July 1, 2023 and ending June 30, 2024) in accordance with *Chapter 1, Article 4* of the 1982 Act and in accordance with the requirements of the *California Constitution, Articles XIII C and XIII D*, and the City Council did by previous Resolution preliminarily approve such Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The City Council hereby declares its intention to seek the annual levy of the District pursuant to the 1982 Act, over and including the land within the District boundary, and to levy and collect special benefit assessments on parcels of land within the District to pay for the costs and expenses associated with the operation, maintenance, repair and servicing of public streets, drainage and flood control systems and appurtenant facilities related thereto.

**SECTION 2.** The District improvements include the ongoing operation, administration, maintenance and servicing of the public streets, drainage and flood control systems and appurtenant facilities authorized pursuant to the 1982 Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to pavement, curbs, sidewalks, hardscape, bridges, fencing, signage, drains, pipes, inlets, outlets, catch basins, drainage basins, manholes, and associated appurtenant facilities located within the public street right-of-ways and other public easements within the District. The Engineer’s Report, as ordered by previous Resolution, provides a full and complete description of the improvements within the District.

**SECTION 3.** The proposed territory within Street and Storm Drain Maintenance District No. 02 (Woodridge) consists of lots, parcels and subdivisions of land located in the development known as Tract 2525-1.

**SECTION 4.** The proposed assessments for the District are outlined in the Engineer’s Report. The Report details the proposed assessments necessary to provide for the annual operation, administration, services and maintenance of the improvements described in Section 2 of this Resolution.

**SECTION 5.** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday, June 13, 2023, at 6:00 p.m. or as soon thereafter as feasible in the regular meeting chambers of the City Council located at 6500 Palma Avenue, Atascadero, California. At the Public Hearing, all interested persons shall be given an opportunity to hear and be heard on the proposed assessment to be levied for fiscal year 2023/2024 as contained in the Engineer’s Report on file in the City Clerk’s Office.

**SECTION 6.** The City Clerk shall give notice of the filing of the report and the time and place of the Public Hearing by publishing in a local newspaper one time at least 10 days prior to the Public Hearing.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

# CITY OF ATASCADERO

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*Fiscal Year 2023/24 Engineer's Report For:*

**Street and Storm Drain Maintenance  
District No. 02 Las Lomas (Woodridge)**

**May 2023**

Prepared by:



[nbsgov.com](http://nbsgov.com)

**CITY OF ATASCADERO**  
**Street and Storm Drain Maintenance District No. 02**  
**Las Lomas (Woodridge)**

**6500 Palma Avenue**  
**Atascadero, CA 93422**  
**Phone – (805) 461-5000**  
**Fax – (805) 461-7612**

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**CITY COUNCIL**

Heather Moreno, Mayor

Susan Funk, Mayor Pro Tem

Charles Bourbeau, Council Member

Mark Dariz, Council Member

Heather Newsom, Council Member

**AGENCY STAFF**

Rachelle Rickard, City Manager

Jeri Rangel, Administrative Services Director

Cindy Chavez, Deputy Director of Administrative Services

**NBS**

Adina McCargo, Project Manager

Tim Seufert, Client Services Director

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# 1. ENGINEER’S LETTER

**WHEREAS**, on March 24, 2005 by Resolution No. 2005-048, the City Council of the City of Atascadero (the “City”), State of California, in accordance with and pursuant to the provisions of the Benefit Assessment Act of 1982, being Chapter 6.4 of the California Government Code, commencing with Section 54703 (hereafter referred to as the “1982 Act”), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIIIID (hereafter referred to as the “California Constitution”), established the City of Atascadero Street and Storm Drain Maintenance District No. 02 Las Lomas (Woodridge) (the “District”); and

**WHEREAS**, on May 9, 2023 the City Council, adopted its Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer’s Report for the District; and

**WHEREAS**, the Resolution Initiating Proceedings directed NBS to prepare and file a report describing the general nature, location, and extent of the improvements to be maintained; an estimate of the costs of the maintenance, operations, and servicing of the improvements for the District for the referenced fiscal year; a diagram for the District, showing the area and properties to be assessed; and an assessment of the estimated costs of the administration, maintenance, operations, and servicing the improvements, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received.

**NOW THEREFORE**, the assessments as detailed in this Engineer’s Report and as summarized in the table below are made to cover the portion of the estimated costs of maintenance, operation and servicing of the improvements to be paid by the assessable real property within the District in proportion to the special benefit received. The following table summarizes the proposed assessment for Fiscal Year 2023/24:

**FY 2023/24 Summary of Assessment**

Description	Amount
Estimated Annual Costs	\$22,190
Capital Reserve Collection/(Uses)	114,270
Levy Adjustments	(37,271)
<b>Balance to Levy</b>	<b>\$99,189</b>
Fiscal Year 2023/24 Maximum Rate	\$900.10
Fiscal Year 2023/24 Proposed Applied Rate	\$428.00

I, the undersigned, respectfully submit the enclosed Engineer’s Report and, to the best of my knowledge, information, and belief, the Engineer’s Report, Assessments, and the Assessment Diagram herein have been prepared, computed, and levied in accordance with the assessment methodology adopted, approved, and ordered by the City Council of the City of Atascadero and the 1982 Act.

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 City Engineer

## 2. EXECUTIVE SUMMARY

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Pursuant to the provisions of the *Benefit Assessment Act of 1982, being Chapter 6.4 of the California Government Code, commencing with Section 54703* (hereafter referred to as the “1982 Act”), and in compliance with the substantive and procedural requirements of the *California State Constitution Article XIID* (hereafter referred to as the “California Constitution”), the City Council of the City of Atascadero, County of San Luis Obispo, State of California (hereafter referred to as “City”), proposed to form and levy special benefit assessments for the district designated as:

### ***Street and Storm Drain Maintenance District No. 02 Las Lomas (Woodridge)***

(hereafter referred to as the “District”), which includes the lots and parcels of land within the residential subdivision known as Las Lomas (Woodridge), Tract 2525-1 within the City limits of the City. This Engineer’s Report (hereafter referred to as the “Report”) has been prepared in connection with the levy and collection of annual assessments related thereto for Fiscal Year 2023/24.

The City Council formed the District, and provided for the levy and collection of annual assessments on the County tax rolls to provide ongoing funding for the costs and expenses required to service and maintain the street and storm drain improvements and facilities associated with and resulting from the development of properties within the District. The improvements to be provided by the District and the assessments described herein are made pursuant to the 1982 Act and the substantive and procedural provisions of the California Constitution.

This Report describes the District, the improvements, and the proposed assessments to be levied against properties in connection with the special benefits the properties will receive from the maintenance and servicing of the District improvements and facilities. The annual assessments described herein will provide a funding source for the continued operation and maintenance of streets, storm drain system and appurtenant facilities installed in connection with the development of properties within the District.

The improvements and assessments described in this Report are based on the development of properties within the District and represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to maintain and service the streets and storm drain system that provides special benefits to properties within the District. The structure of the District (organization), the improvements, the method of apportionment, and assessments described herein are based on current development plans and specifications for Tract 2525-1; and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the San Luis Obispo County Assessor’s Office. The San Luis Obispo County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers to identify properties to be assessed on the tax roll for the special benefit assessments.

As part of this District’s formation, the City conducted a Property Owner Protest Ballot proceeding for the proposed levy of a new assessment pursuant to the provisions of the *California Constitution, Article XIID Section 4*. In conjunction with this ballot proceeding, the City Council conducted a noticed public hearing to consider public testimonies, comments and written protests regarding the formation of the District and



levy of assessments. Upon conclusion of the public hearing, property owner protest ballots received were opened and tabulated to determine whether majority protest existed (ballots were weighted based on assessment amounts), and by resolution the City Council confirmed the results of the ballot tabulation. The tabulation of the ballots indicated that majority protest did not exist for the proposed assessments and the assessment range formula presented and described herein; therefore, the City Council approved the Report (as submitted or amended), ordered the formation of the District, and approved the levy and collection of assessments. The assessments for Fiscal Year 2005/2006 were submitted to the San Luis Obispo County Auditor/Controller for inclusion on the property tax roll for each parcel.

Each subsequent fiscal year, a Report shall be prepared and presented to the City Council describing any changes to the improvements, proposed services, the annual budget or assessments for that fiscal year and the City Council may hold a noticed public hearing regarding these matters prior to approving and ordering the proposed levy of assessments. If the proposed assessments for the District exceed the maximum assessment described herein (as approved by the property owners), the new or increased assessment must be confirmed through another property owner protest ballot proceeding before such an assessment may be imposed. It should be noted that an increased assessment to an individual property resulting from changes in development or land use does not constitute an increased assessment.

## 3. PLANS AND SPECIFICATIONS

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### 3.1 Benefiting Properties within the District

The territory within the District consists of the lots, parcels and subdivisions of land within the residential subdivision known as the Las Lomas (Woodridge), Tract 2525-1, which encompasses an area of land totaling approximately one hundred and eleven acres (111.20 acres).

This residential subdivision includes one hundred forty-three (143) single-family residential units; thirty-five (35) condominium/senior housing units; and a single, one hundred (100) unit multi-family residential project at build-out. Due to parcel splits the multi-family residential project is spread over three parcels. The planned subdivision is situated in the southeast portion of the City of Atascadero and is generally located:

- South and east of Halcon Road;
- East of Highway 101 and El Camino Real
- South and west of the Southern Pacific Railroad Tracks; and
- North of Salinas Road and Santa Cruz Road

### 3.2 Funding Authorized by the 1982 Act

As generally defined by the Benefit Assessment Act of 1982 and applicable to this District, the City may impose a benefit assessment to finance the maintenance and operation costs of the following services:

- Drainage and Flood Control;
- Streets and Roads.

In addition to imposing a benefit assessment for the annual maintenance and operation of the District improvements, the City may also authorize an assessment or utilize existing assessment revenues to finance the installation, construction or replacement of drainage and flood control facilities as well as the street and road improvements (with some limitations). While such activities are permitted under the 1982 Act, the budget and assessments for this District only provide for normal maintenance and operation of the improvements. Since most major rehabilitation/construction projects result from unforeseen damages, the extent and cost of such projects are not easily predicted and to accumulate funds as part of the normal annual assessments would not be reasonable. If such funding becomes necessary, the City may present a new or increased assessment to the property owners to support the projects.

### 3.3 Description of Improvements and Services

The purpose of this District is to fund the activities necessary to maintain and service the local streets and the drainage and flood control systems constructed and installed in connection with development of properties within the residential subdivision known as Las Lomas (Woodridge), Tract 2525-1 pursuant to approved development plans and agreements. The improvements may consist of all or a portion of the public streets, drainage and flood control facilities associated with Tract 2525-1 and the maintenance of these improvements may include but are not limited to the materials, equipment, labor, and incidental expenses deemed necessary to keep these improvements in satisfactory condition. The maintenance of the improvements and related activities shall be funded entirely or partially through the District assessments. Not

all improvements have been fully accepted by the City. It is anticipated that will occur within the next fiscal year at which time the costs of maintenance for those improvements will be charged to the district. The District improvements and services are generally described as:

- Street maintenance that may include but is not limited to the repair and servicing of street surfaces, curbs, gutters, bridges, driveway approaches, sidewalks, barricades, delineation, signage or other facilities within the public street rights-of-way installed in connection with the development of properties in Tract 2525-1 and that have been dedicated to the City;
- Storm drain and flood control maintenance that may include but is not limited to inspection, repair and servicing of drainage basins, inlets, catch basins, manholes, outlets, drywells, pumps, filters and storm drain pipes installed in connection with the development of properties of Tract 2525-1 as well as any off-site improvements and facilities directly associated with the aforementioned infrastructure that is deemed necessary to service or protect the properties including waste water treatment;
- The appurtenant, equipment, materials and service contracts related to the aforementioned improvements and facilities;
- Specifically excluded are those improvements or facilities: located on private property or common areas; that may be provided or maintained by an agency other than the City; that may be provided by another assessment or tax levied by the City; or that may be provided and maintained by a Homeowner's Association or similar entity.

Detailed maps and descriptions of the location and extent of the specific improvements to be maintained by the District are on file in the Office of Public Works and by reference are made part of this Report. Those portions of the District improvements that may be identified as general benefit or will be funded in whole or in part by other revenue sources as part of the approved development agreements, will not be included as part of the District assessments. The net annual cost to provide and maintain the improvements determined to be of special benefit shall be allocated to each property in proportion to the special benefits received.

### 3.3.1 STREET MAINTENANCE

The street maintenance program may include, but is not limited to: the repair of potholes, cracks or other failures in the asphalt surface; repair or replacement of curbs, gutters, driveway approaches and sidewalks as required as part of maintaining the streets; repair or installation of street signs, barricades, fencing or other delineation; mechanized sweeping and cleaning of the streets and gutters; slurry sealing, overlays and re-striping of the street surfaces. The specific activities and timing of various street and road maintenance services shall be determined by the City's Public Works Department as necessary to extend the life of the streets or to improve traffic circulation and safety as available funding permits. Specifically, the street improvements for this District are identified as:

- Approximately 290,610 square feet of asphalt street surface located on the various interior streets identified as Calle Milano, Eliano Street, Via Cielo, Avion Road, Alcotan Lane, and Azor Lane;
- Approximately 13,750 linear feet of curb and gutter along Calle Milano, Eliano Street, Via Cielo, Avion Road, Alcotan Lane, and Azor Lane;
- Approximately 1,480 linear feet of curb and gutter in and around the median islands on Calle Milano and at Via Cielo;

- Approximately 145 driveway approaches, 45,264 square feet of sidewalks and various street signs within the District;
- Specifically not included as part of the street maintenance program are the costs associated with major replacements or reconstruction. Although the District assessments will provide funding for regular maintenance and servicing of the improvements that will extend the useful life of the street improvements, the assessments are not intended to fund major replacements or reconstruction of the street surfaces or adjacent improvements such as curbs, gutters or driveway approaches. The costs of extensive replacement or reconstruction activities such as grinding and resurfacing of the asphalt; and replacement of curbs, gutters driveway approaches and sidewalks is significantly more than the amount that can reasonably be collected annually under the provisions of the 1982 Act. When such repairs or activities are deemed necessary, the City will consider various financing options including new or increased assessments for property owner approval.

The Public Works Department shall authorize the operational activities and maintenance of the public street and right-of-way improvements, facilities and services that may include, but are not limited to:

- Regular street sweeping services necessary to control dirt and debris on street surfaces and gutters;
- Annual inspection of street surface and repair of potholes and surface cracks as needed;
- Periodic slurry or overly of street surfaces and driveway approaches (typically one or the other once every five years);
- Periodic re-stripping of traffic lanes, bike lanes, street parking areas, crosswalks and intersections (typically in conjunction with slurry or overly activities);
- Graffiti abatement of public improvements within the street rights-of-way that are maintained by the District including but not limited to sandblasting, repainting and repair of fences, walls, barricades, sidewalks and signage as needed;
- Annual inspection and periodic repair or replacement of decorative street- pavers as needed;
- Annual inspection and minor repairs of curbs, gutters, driveway approaches and sidewalks including partial segment replacements as needed to ensure pedestrian and vehicle safety or the integrity of the street;
- Annual inspection and periodic repair or rehabilitation of street signs and traffic control devices;
- Annual inspection and repair of barricades, street-fencing, delineation or retaining walls within the street rights-of-way as needed.

A portion of the services described above are not performed on an annual basis but rather on a periodic basis, such as slurry sealing or overlaying the asphalt streets, and the funds necessary for these activities are collected in installments as part of the annual assessments. The monies collected each year for these services will be accumulated in a special fund of the District (Reserve Fund or Capital Improvement Fund). The monies accumulated for these activities shall be spent when sufficient funds have been accumulated to perform the services deemed necessary by the City (approximately every five years). This process of accumulating funds (installments) shall continue until such time the District is dissolved; or the City determines that such funding procedures require modification. Changes in the process of accumulating funds that would result in an increase to the annual assessment rate must be presented to the property owners for approval prior to imposing such an increase.

### 3.3.2 STORM DRAIN AND FLOOD CONTROL MAINTENANCE

The storm drain and flood control system associated with the District may include but is not limited to: drainage basins and bio-filters; channel ways; storm drain inlets, catch basins, manholes, outlets; drywells, pumps, filters and pipes. The storm drain system to be maintained primarily involves on-site facilities (within the District boundaries) but may also include off-site improvements such as water treatment equipment, facilities or services mandated or required by Federal, State or County regulations for water pollution control. The annual assessments for this District are intended to support a storm drain and flood control maintenance program that will adequately regulate and control storm water runoff resulting from the development of properties within the District. This maintenance program may include but is not limited to: inspection and documentation of the system; cleaning, servicing or repair of the facilities and equipment; and the partial replacement or rehabilitation of equipment and facilities. The storm drain and flood control system includes but is not limited to:

- Approximately 175,550 square feet of drainage basin area;
- Twenty-four (24) inlets, outlets and manholes located throughout Tract 2525-1;
- Approximately 4,965 linear feet of storm drain pipe ranging from 18 inches to 36 inches in diameter.

The Public Works Department shall authorize and schedule the operational activities and maintenance of the storm drain and storm water pollution treatment infrastructure, facilities and services that may include, but are not limited to:

- Cleaning of storm drain inlets, catch basins, manholes and pipes as needed;
- Stencil maintenance and documentation of facilities as required by Federal, State or County regulations;
- Cleaning and landscape maintenance of the drainage basins, bio-filter areas or channel ways as needed;
- Debris removal and pest control in and around the storm drain facilities as needed;
- Minor repairs and maintenance of the storm drain inlets, catch basins and outlets as needed;
- Street sweeping services necessary to control debris and water flow for the storm drain system; and,
- The operational costs related to NPDES compliance requirements.

A portion of the services described above are not performed on an annual basis but rather on a periodic basis such as minor repairs to the storm drain inlets, catch basins and outlets, and the funds necessary for these activities are collected in installments as part of the annual assessments. The monies collected each year for these services will be accumulated in a special fund of the District (Reserve Fund or Capital Improvement Fund). The monies accumulated for these activities shall be spent as needed to perform the services deemed necessary by the City. This process of accumulating funds (installments) shall continue until such time the District is dissolved; or the City determines that such funding procedures require modification. Changes in the process of accumulating funds that would result in an increase to the annual assessment rate must be presented to the property owners for approval prior to imposing such an increase.

## 4. ESTIMATE OF COSTS

Budget	2023/24 Assessment
<b>DIRECT COSTS</b>	
<b>Streets, Roads &amp; Storm Drain Improvements</b>	
Street Maintenance	\$8,350
Drainage Maintenance Services	3,720
Inspection & Operational Services - Roads, Drainage	0
<b>Total Annual Direct Costs</b>	<b>\$12,070</b>
<b>SPECIAL PROJECT</b>	
	<b>\$0</b>
<b>ADMINISTRATION EXPENSES</b>	
City Annual Administration	\$1,920
City Operational Services	4,280
Engineer's Report & Services	3,770
Public Noticing	150
<b>Total Annual Administration Costs</b>	<b>\$10,120</b>
<b>TOTAL DIRECT &amp; ADMINISTRATION COSTS</b>	<b>\$22,190</b>
<b>CAPITAL RESERVE COLLECTIONS/(USES)</b>	
Collection for Street Surface Activities	\$97,500
Collection for Repair Activities: Curbs, Gutters, Approaches & Sidewalks	12,500
Collection for Debris Removal	1,250
Collection for Storm Drain Infrastructure	3,020
<b>Total Annual Capital Reserve Collections/(Uses)</b>	<b>\$114,270</b>
<b>LEVY ADJUSTMENTS</b>	
Interest Income - Improvement Fund	(\$20,686)
Interest Income - Operating Reserve Fund	(404)
Reserve Fund Collection (Use)	(16,181)
<b>Total Levy Adjustments</b>	<b>(\$37,271)</b>
<b>BALANCE TO LEVY</b>	<b>\$99,189</b>
<b>DISTRICT STATISTICS</b>	
Total Parcels	191
Parcels Levied	181
Total EBU <sup>(1)</sup>	231.75
<b>Levy per EBU</b>	<b>\$428.00</b>
Maximum Levy per EBU	\$900.10
<b>FUND BALANCE INFORMATION</b>	
Beginning Operating Reserve Balance	\$14,092
Operational Reserve Interest	404
Surplus Transfer from Improvement Fund	37,199
Operational Reserve Collection (Use)	(37,271)
<b>Ending Operating Reserve Balance</b>	<b>\$14,424</b>
Beginning Improvement Fund Balance	\$640,021
Improvement Fund Interest	20,686
Surplus Transfer to Operations Fund	(37,199)
Improvement Fund Collection	114,270
Ending Improvement Fund Balance	<b>\$737,778</b>

<sup>(1)</sup> Levy per EBU rate does not include the County of San Luis Obispo fee of \$2.00 per parcel

## 5. METHOD OF ASSESSMENT

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### 5.1 General

The 1982 Act permits the establishment of assessment districts by agencies for the purpose of providing for the maintenance, operation and servicing of drainage and flood control improvements as well as streets, roads and appurtenant facilities. The 1982 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

*“The amount of the assessment imposed on any parcel of property shall be related to the benefit to the parcel which will be derived from the provision of the service”.*

Furthermore:

*“The annual aggregate amount of the assessment shall not exceed the estimated annual cost of providing the service, except that the legislative body may, by resolution, determine that the estimated cost of work authorized ... is greater than can be conveniently raised from a single annual assessment and order that the estimated cost shall be raised by an assessment levied and collected in installments.... The revenue derived from the assessment shall not be used to pay the cost of any service other than the service for which the assessment was levied.”*

The method of apportionment described in this Report for allocation of special benefit assessments utilizes commonly accepted engineering practices in compliance with the provisions of the 1982 Act and the California Constitution. The formulas used for calculating assessments reflects the composition of parcels within the District and the improvements and services provided, to fairly apportion the costs based on the special benefits to each parcel.

### 5.2 Benefit Analysis

Each of the proposed improvements and services, and the associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the 1982 Act and the California Constitution. The street and storm drain improvements associated with this District were necessary and essential requirements for the orderly development of the properties within the District to their full potential, consistent with the development plans and applicable portions of the City General Plan. As such the ongoing operation, servicing and maintenance of those improvements would otherwise be the direct financial obligation of each individual property owner. Since each parcel to be assessed within the District could not have been developed in the absence of these improvements and facilities, each parcel has a direct investment in the proper maintenance of the improvements that is over and above any general benefits that may be conferred by such improvements and services.

The ongoing maintenance and servicing of the District improvements is an integral part of the appearance, use and preservation of the properties within the District and such services to be funded by annual assessments confer a particular and distinct special benefit to those parcels. The proper maintenance of streets and appurtenant facilities allows individual parcels to be used to their fullest extent by ensuring the safe and efficient movement of people and goods to and from the benefiting properties Likewise, the maintenance and servicing of the storm drain system ensures proper water flow and control of excess

water during periods of rain, which is essential to preservation and protection of private property. Together the maintenance and servicing of the streets and storm drain system contributes to a specific enhancement of each of the parcels within the District and the absence of adequate maintenance and servicing of the District improvements could eventually have a negative impact on properties within the District.

Although the improvements may include public streets and storm drain facilities that connect to similar facilities outside the District boundaries, it is clear that the construction and installation of these improvements were only necessary for the development of properties within the District. As such, these improvements were not required nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been determined that the ongoing maintenance, servicing and operation of the District improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District. Any improvement or portion thereof (particularly off-site storm drain facilities) that may be considered general benefit shall be funded by other revenue sources and not included as part of the special benefit assessments allocated to properties within this District. However, the costs associated with installation or improvement of any off-site facilities that benefit the parcels within this District as well as other properties (shared benefit) may be allocated to the parcels within the District based on their proportional special benefit from such improvements.

### **5.3 Assessment Methodology**

The costs associated with the improvements and services shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with the California Constitution Article XIID Section 4, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements.

The method of apportionment established for this District and described herein, reflects the proportional special benefit each property receives from the improvements and services based on the actual or proposed land use of that parcel as compared to other properties within the District based on similarities and differences in parcel land use.

#### **5.3.1 EQUIVALENT BENEFIT UNITS:**

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of the other properties within the District. The method of apportionment established for most districts formed under the 1982 Act utilizes a weighted method of apportionment known as an Equivalent Benefit Unit (EBU) methodology that uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Benefit Unit (EBU) and the other land uses are converted to a weighted EBU based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.



Although the Equivalent Benefit Unit method of apportioning special benefit is most commonly used and applied to districts that have a wide range of land use classifications (residential and non-residential use), this District is comprised of only residential properties and the following apportionment analysis of special benefit addresses only residential land uses. Not all land use types described in the following are necessarily applicable to the development of properties within this District, but are presented for comparison purposes to support the proportional special benefit applied to those land use types within the District.

### 5.3.2 EBU APPLICATION BY LAND USE:

- (1) **Single-family Residential** — This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.0 EBU per lot or parcel. This is the base value that the other properties are compared and weighted against (i.e. Equivalent Benefit Unit “EBU”).
- (2) **Multi-family Residential** — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property. (This land use typically includes apartments, duplexes, triplex etc., but does not generally include condominiums, town-homes or mobile-home parks). Based on average population densities and size of the structure as compared to a typical single-family residential unit, multi-family residential parcels shall be proportionately assessed for the parcel’s total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single-family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single-family residence (Sample Sources: Institute of Transportation Engineers Informational Report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Edition). These various studies indicate that most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases, the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by this District, an appropriate allocation of special benefit for multi-family residential properties as compared to a single-family residential property is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 50 units; 0.50 EBU per unit for units 51 through 100; and 0.25 EBU per unit for the remaining units.
- (3) **Condominium/Town-home Units** — Condominiums and town-homes tend to share attributes of both single-family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single-family residential properties, these properties are not usually considered rental property and generally, the County assigns each unit a separate APN or assessment number. However, condominiums and town-homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors, it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU

per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to an APN. (There is no adjustment for parcels with more than five units).

- (4) **Planned-Residential Development** — This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the District. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a single APN). Each parcel that is part of the approved tract map shall be assessed proportionately for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out. (The EBU assigned to each parcel shall represent the combination of single-family, condominium, multi-family units to be developed).
- (5) **Vacant Residential** — This land use is defined as property currently zoned for residential development, but a tentative or final tract map for the property has not yet been approved. Based upon the opinions of professional appraisers who appraise market property values for real estate in California, the land value portion of a property typically ranges from 20 to 30 percent of the total value of a developed residential property (the average is about 25 percent). Although the assessed value of an individual property is not a direct reflection of the property's special benefit, this general correlation between land value and structure value does provide a reasonable basis for apportioning special benefit for vacant residential properties. Utilizing this twenty-five percent (25%) apportionment and the number of single-family residential units typically developed per acre of land (an average of 4 residential units per acre) an Equivalent Benefit Unit of 1.0 EBU per acre (4 units per acre x 25%) is derived and presents an appropriate apportionment of special benefit for vacant residential properties. Recognizing that the full and timely utilization of vacant property is reduced as the size of the property increases, it has been determined that the maximum EBU assigned to a vacant residential parcel shall not exceed 25.0 EBU (parcels in excess of 25 acres are assigned 25.0 EBU). Parcels less than one acre, shall be assigned a minimum of 1.0 EBU (similar to a vacant lot within a residential tract).
- (6) **Exempt Parcels** — This land use identifies properties that are not assessed and are assigned 0.0 EBU. This land use classification may include but is not limited to:
- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);
  - Dedicated public easements including open space areas, utility rights-of-way, greenbelts, parkways, parks or other publicly owned properties that are part of the District improvements or may provide other benefits to private properties within the District.;
  - Private properties that cannot be developed independently from an adjacent property, such as common areas, sliver parcels or bifurcated lots or properties with very restrictive development use.

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment, but shall be reviewed annually by the assessment engineer to confirm the parcels current development status. Government owned properties or public

properties are not necessarily exempt properties and shall be subject to special benefit assessment unless it qualifies for an exempt status.

- (7) **Special Cases** — In many districts where multiple land use classifications are involved, there are usually one or more properties for which the standard land use classifications do not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a Vacant Residential property, however only a small percentage of the parcel’s total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel.

The following table provides a summary of land use classifications and the Equivalent Benefit Unit calculations previously outlined.

Property Type	Equivalent Benefit Units	Multiplier
Single-family Residential	1.00	Per Unit/Lot/Parcel
Multi-family Residential	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Condominium/Townhome Units	0.75	Per Unit
Planned Residential Development	1.00	Per Planned SF Residential Lot
	0.75	Per Planned Condominium
	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Vacant Residential Land	1.00	Per Acre
Exempt Parcels	0.00	Per Parcel

The following formula is used to calculate each parcel’s EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acres or Units} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBU’s) is the sum of the individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total number of EBU’s of the parcels benefiting from the improvements. This Rate is then applied back to each parcel’s individual EBU to determine the parcel’s proportionate benefit and assessment obligation for the improvements.

$$\begin{aligned} \text{Total Balance to Levy} / \text{Total EBU} &= \text{Levy per EBU} \\ \text{Levy per EBU} \times \text{Parcel EBU} &= \text{Parcel Levy Amount} \end{aligned}$$

## 5.4 Assessment Range Formula

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIII C and XIII D), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any

assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District formation, the notice and assessment ballots presented to the property owners for approval included a maximum assessment amount for fiscal year 2005/2006 (initial maximum assessment), identification of the corresponding maximum assessment rate and a summary of the Assessment Range Formula described herein.

The Assessment Range Formula for this District shall be applied to the future assessments and is generally defined:

- If the proposed annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment Rate, then the proposed annual assessment is not considered an increased assessment.
- The Maximum Assessment Rate is equal to the (Initial) Maximum Assessment Rate established for Fiscal Year 2005/2006 adjusted annually by the greater of, three percent (3%) or the annual percentage change in the Consumer Price Index (CPI) of "All Urban Consumers" for the San Francisco-Oakland-San Jose Area from February to February. The Maximum Assessment rate was increased by 5.3024% for Fiscal Year 2023/24.

Beginning with Fiscal Year 2006/2007 and each fiscal year thereafter, the Maximum Assessment Rate has been recalculated and a new Maximum Assessment Rate established for the fiscal year utilizing the Assessment Range Formula described above. The Maximum Assessment Rate is calculated independent of the District's annual budget and proposed assessment. The annual percentage change in CPI is based on available data provided by the U.S. Department of Labor; Bureau of Labor Statistics at the time the annual Report is prepared. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living. In January 2018, BLS introduced a new geographic area sample for the CPI. As part of the change the index for this area was renamed from San Francisco-Oakland-San Jose to San Francisco-Oakland-Hayward. The metropolitan area is comprised of Alameda, Contra Costa, Marin, San Francisco, San Mateo Counties in the State of California. This CPI will be used going forward.

Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the method of apportionment that increase the proportional special benefit assigned to a particular land use classification would be considered an increased assessment. Conversely, reductions in the proportional special benefit assigned to a land use classifications is permitted. Changes in land use or size of an individual property resulting in an assessment increase, is not considered an increased assessment.

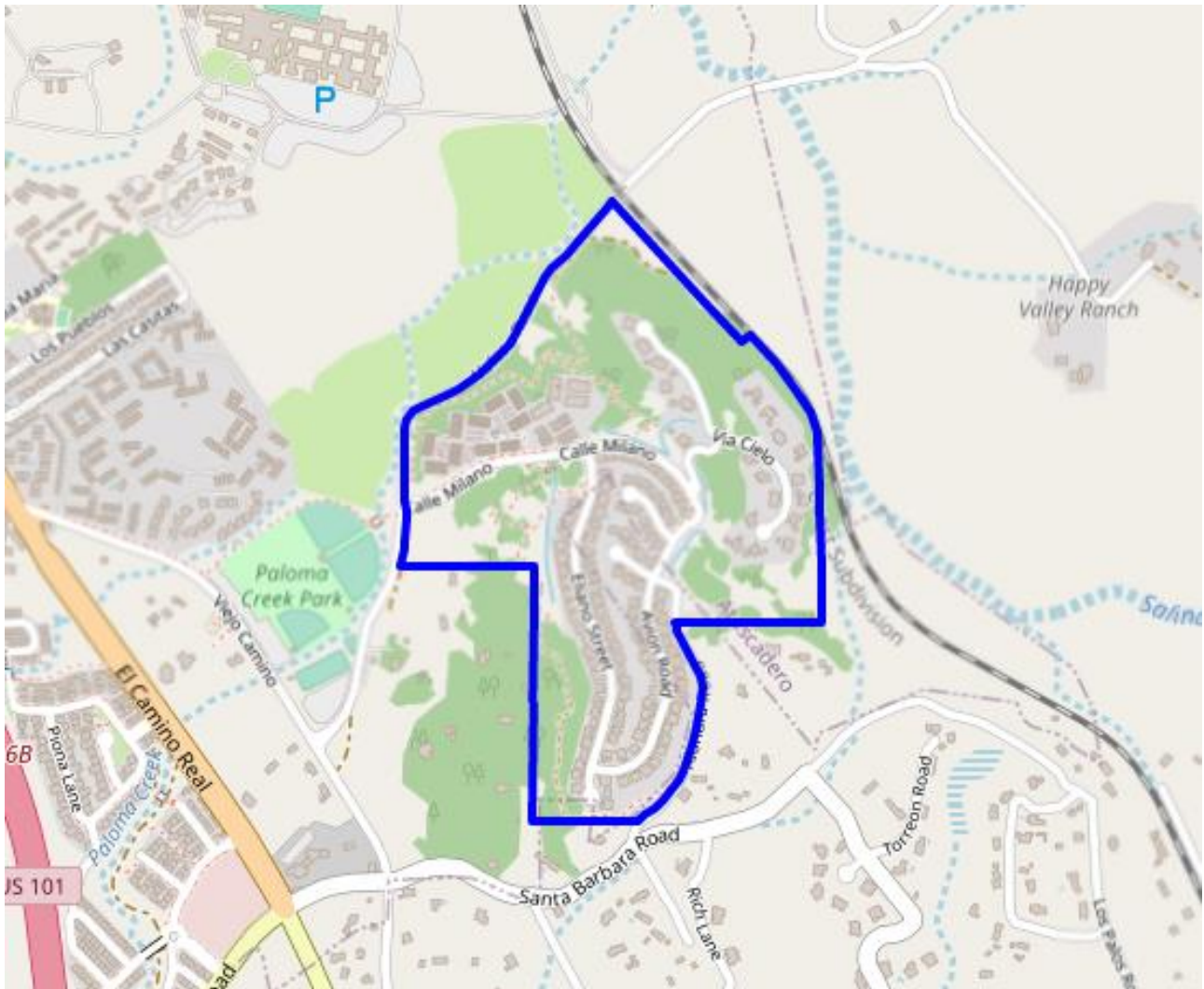
To impose a new or increased assessment other than the annual inflationary adjustment provided by the preceding Assessment Range Formula, the City must comply with the provisions of the California Constitution Article XIIIID Section 4c, that requires a public hearing and certain protest procedures including

mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve a proposed new or increased assessment before such an assessment may be imposed.

## 6. ASSESSMENT DIAGRAM

The parcels within the Street and Storm Drain Maintenance District No. 02 Las Lomas (Woodridge) consist of the lots, parcels and subdivisions of land located in the residential development known as Las Lomas (Woodridge), Tract 2525-1. The District covers approximately one hundred and eleven acres (111.20 acres) in the southeast portion of the City of Atascadero.

The following map is based on the District Diagram, the San Luis Obispo County Assessor's Maps and the San Luis Obispo County Assessor's information and identifies the parcels of land within the proposed District, as the same existed at the time the District was formed. The combination of the District Diagram on file with the City Clerk and the Assessment Roll contained in this Report constitute the District Assessment Diagram.



## 7. ASSESSMENT ROLL

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Parcel identification for each lot or parcel within the District is based on the Assessment Diagram presented herein and is based on available parcel maps and property data from the San Luis Obispo County Assessor's Office at the time the Engineer's Report was prepared. A listing of the proposed lots and parcels to be assessed within this District along with the assessment amounts is provided herein.

Non-assessable lots or parcels may include but are not limited to public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas, rights-of-way, common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has little or no value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate described in this Report as approved by the City Council. Therefore, if a single assessor's parcel has a status change in development, other land use change, or subdivides into multiple assessor's parcels, the assessment amounts applied to each of the new assessor's parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment amount.

**City of Atascadero**  
**Street & Storm Drain Maintenance No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-311-014	9341 DECHADO WAY	MFR	17.8	15,994.85	7,605.56
045-311-015	9261 LOS OLIVOS CIR	MFR	24.8	22,349.59	10,627.24
045-311-016	9110 CIRUELA WAY	MFR	19.9	17,912.08	8,517.20
045-312-001	9510 ALCOTAN RD	SFR	1.0	900.10	428.00
045-312-002	9520 ALCOTAN RD	SFR	1.0	900.10	428.00
045-312-003	11400 ELIANO ST	SFR	1.0	900.10	428.00
045-312-004	11390 ELIANO ST	SFR	1.0	900.10	428.00
045-312-005	11380 ELIANO ST	SFR	1.0	900.10	428.00
045-312-006	11370 ELIANO ST	SFR	1.0	900.10	428.00
045-312-007	11360 ELIANO ST	SFR	1.0	900.10	428.00
045-312-008	11350 ELIANO ST	SFR	1.0	900.10	428.00
045-312-009	11340 ELIANO ST	SFR	1.0	900.10	428.00
045-312-010	11320 ELIANO ST	SFR	1.0	900.10	428.00
045-312-011	11310 ELIANO ST	SFR	1.0	900.10	428.00
045-312-012	11305 ELIANO ST	SFR	1.0	900.10	428.00
045-312-013	11325 ELIANO ST	SFR	1.0	900.10	428.00
045-312-014	11335 ELIANO ST	SFR	1.0	900.10	428.00
045-312-015	11355 ELIANO ST	SFR	1.0	900.10	428.00
045-312-016	11365 ELIANO ST	SFR	1.0	900.10	428.00
045-312-017	11385 ELIANO ST	SFR	1.0	900.10	428.00
045-312-018	11395 ELIANO ST	SFR	1.0	900.10	428.00
045-312-019	11405 ELIANO ST	SFR	1.0	900.10	428.00
045-312-020	11415 ELIANO ST	SFR	1.0	900.10	428.00
045-312-021	11425 ELIANO ST	SFR	1.0	900.10	428.00
045-312-022	11435 ELIANO ST	SFR	1.0	900.10	428.00
045-312-023	9400 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-024	9410 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-025	9420 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-026	9430 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-027	9440 CALLE MILANO ST	SFR	1.0	900.10	428.00
045-312-028	9450 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-029	9460 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-030	9470 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-031	9480 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-032	9490 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-033	9500 CALLE MILANO	SFR	1.0	900.10	428.00
045-312-034	9510 CALLE MILANO RD	SFR	1.0	900.10	428.00
045-312-035	9520 CALLE MILANO RD	SFR	1.0	900.10	428.00
045-312-036	9535 AZOR LN	SFR	1.0	900.10	428.00
045-312-037	9525 AZOR LN	SFR	1.0	900.10	428.00
045-312-038	9515 AZOR LN	SFR	1.0	900.10	428.00
045-312-039	9505 AZOR LN	SFR	1.0	900.10	428.00

Slight variances may occur due to rounding



**City of Atascadero**  
**Street & Storm Drain Maintenance No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-312-040	9495 AZOR LN	SFR	1.0	900.10	428.00
045-312-041	9485 AZOR LN	SFR	1.0	900.10	428.00
045-312-042	9475 AZOR LN	SFR	1.0	900.10	428.00
045-312-043	9465 AZOR LN	SFR	1.0	900.10	428.00
045-312-044	9470 AZOR LN	SFR	1.0	900.10	428.00
045-312-045	9480 AZOR RD	SFR	1.0	900.10	428.00
045-312-046	9500 AZOR LN	SFR	1.0	900.10	428.00
045-312-047	9520 AZOR LN	SFR	1.0	900.10	428.00
045-312-048	9530 AZOR LN	SFR	1.0	900.10	428.00
045-312-049	9540 AZOR LN	SFR	1.0	900.10	428.00
045-312-050	9550 AZOR LN	SFR	1.0	900.10	428.00
045-312-051	9515 ALCOTAN RD	SFR	1.0	900.10	428.00
045-312-052	9505 ALCOTAN RD	SFR	1.0	900.10	428.00
045-312-053	9495 ALCOTAN RD	SFR	1.0	900.10	428.00
045-312-054	9485 ALCOTAN RD	SFR	1.0	900.10	428.00
045-312-055	9475 ALCOTAN RD	SFR	1.0	900.10	428.00
045-312-056	9500 ALCOTAN RD	SFR	1.0	900.10	428.00
045-313-001	11455 MONTE VERDE DR	SFV	1.0	900.10	428.00
045-313-002	9500 VIA CIELO	SFR	1.0	900.10	428.00
045-313-003	9550 VIA CIELO	SFR	1.0	900.10	428.00
045-313-004	9600 VIA CIELO RD	SFR	1.0	900.10	428.00
045-313-005	9650 VIA CIELO RD	SFR	1.0	900.10	428.00
045-313-006	9700 VIA CIELO RD	SFR	1.0	900.10	428.00
045-313-007	9655 VIA CIELO RD	SFR	1.0	900.10	428.00
045-313-008	9625 VIA CIELO	SFR	1.0	900.10	428.00
045-313-009	9575 VIA CIELO	SFR	1.0	900.10	428.00
045-313-010	9565 VIA CIELO	SFR	1.0	900.10	428.00
045-313-011	9555 VIA CIELO	SFR	1.0	900.10	428.00
045-313-012	9505 VIA CIELO	SFR	1.0	900.10	428.00
045-313-013	9515 VIA CIELO	SFR	1.0	900.10	428.00
045-313-014	9525 VIA CIELO	SFR	1.0	900.10	428.00
045-313-015	9535 VIA CIELO	SFR	1.0	900.10	428.00
045-313-018	9350 VIA CIELO	SFR	1.0	900.10	428.00
045-313-019	9402 VIA CIELO LN	SFR	1.0	900.10	428.00
045-313-020	9450 VIA CIELO	SFR	1.0	900.10	428.00
045-313-021	11450 MONTE VERDE	SFR	1.0	900.10	428.00
045-313-026	9250 VIA CIELO	SFR	1.0	900.10	428.00
045-313-027	9300 VIA CIELO	SFR	1.0	900.10	428.00
045-314-001	11290 ELIANO ST	SFR	1.0	900.10	428.00
045-314-002	11280 ELIANO ST	SFR	1.0	900.10	428.00
045-314-003	11270 ELIANO ST	SFR	1.0	900.10	428.00
045-314-004	11260 ELIANO ST	SFR	1.0	900.10	428.00

Slight variances may occur due to rounding

**City of Atascadero**  
**Street & Storm Drain Maintenance No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-314-005	11250 ELIANO ST	SFR	1.0	900.10	428.00
045-314-006	11240 ELIANO ST	SFR	1.0	900.10	428.00
045-314-007	11220 ELIANO ST	SFR	1.0	900.10	428.00
045-314-008	11215 ELIANO ST	SFR	1.0	900.10	428.00
045-314-009	11225 ELIANO ST	SFR	1.0	900.10	428.00
045-314-010	11235 ELIANO ST	SFR	1.0	900.10	428.00
045-314-011	11245 ELIANO ST	SFR	1.0	900.10	428.00
045-314-012	11255 ELIANO ST	SFR	1.0	900.10	428.00
045-314-013	11265 ELIANO ST	SFR	1.0	900.10	428.00
045-314-014	11275 ELIANO ST	SFR	1.0	900.10	428.00
045-314-015	11285 ELIANO ST	SFR	1.0	900.10	428.00
045-314-016	11290 AVION RD	SFR	1.0	900.10	428.00
045-314-017	11280 AVION RD	SFR	1.0	900.10	428.00
045-314-018	11270 AVION RD	SFR	1.0	900.10	428.00
045-314-019	11260 AVION RD	SFR	1.0	900.10	428.00
045-314-020	11250 AVION RD	SFR	1.0	900.10	428.00
045-314-021	11240 AVION RD	SFR	1.0	900.10	428.00
045-314-022	11230 AVION RD	SFR	1.0	900.10	428.00
045-314-023	11210 AVION RD	SFR	1.0	900.10	428.00
045-314-024	11200 AVION RD	SFR	1.0	900.10	428.00
045-314-025	11205 AVION RD	SFR	1.0	900.10	428.00
045-314-026	11215 AVION RD	SFR	1.0	900.10	428.00
045-314-027	11225 AVION RD	SFR	1.0	900.10	428.00
045-314-028	11235 AVION RD	SFR	1.0	900.10	428.00
045-314-029	11245 AVION RD	SFR	1.0	900.10	428.00
045-314-030	11255 AVION RD	SFR	1.0	900.10	428.00
045-314-031	11275 AVION RD	SFR	1.0	900.10	428.00
045-314-032	11285 AVION RD	SFR	1.0	900.10	428.00
045-314-033	11295 AVION RD	SFR	1.0	900.10	428.00
045-315-001	11210 ELIANO ST	SFR	1.0	900.10	428.00
045-315-002	11190 ELIANO ST	SFR	1.0	900.10	428.00
045-315-003	11180 ELIANO ST	SFR	1.0	900.10	428.00
045-315-004	11170 ELIANO ST	SFR	1.0	900.10	428.00
045-315-005	11160 ELIANO ST	SFR	1.0	900.10	428.00
045-315-006	11150 ELIANO ST	SFR	1.0	900.10	428.00
045-315-007	11140 ELIANO ST	SFR	1.0	900.10	428.00
045-315-008	11130 ELIANO ST	SFR	1.0	900.10	428.00
045-315-009	11120 ELIANO ST	SFR	1.0	900.10	428.00
045-315-010	11105 ELIANO ST	SFR	1.0	900.10	428.00
045-315-011	11115 ELIANO ST	SFR	1.0	900.10	428.00
045-315-012	11125 ELIANO ST	SFR	1.0	900.10	428.00
045-315-013	11100 AVION RD	SFR	1.0	900.10	428.00

Slight variances may occur due to rounding

**City of Atascadero**  
**Street & Storm Drain Maintenance No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-315-014	11165 ELIANO ST	SFR	1.0	900.10	428.00
045-315-015	11185 ELIANO ST	SFR	1.0	900.10	428.00
045-315-016	11195 ELIANO ST	SFR	1.0	900.10	428.00
045-315-017	11205 ELIANO ST	SFR	1.0	900.10	428.00
045-315-018	11180 AVION RD	SFR	1.0	900.10	428.00
045-315-019	11170 AVION RD	SFR	1.0	900.10	428.00
045-315-020	11160 AVION RD	SFR	1.0	900.10	428.00
045-315-021	11150 AVION RD	SFR	1.0	900.10	428.00
045-315-022	11130 AVION RD	SFR	1.0	900.10	428.00
045-315-023	11110 AVION RD	SFR	1.0	900.10	428.00
045-315-024	11105 AVION RD	SFR	1.0	900.10	428.00
045-315-025	11115 AVION RD	SFR	1.0	900.10	428.00
045-315-026	11125 AVION RD	SFR	1.0	900.10	428.00
045-315-027	11135 AVION RD	SFR	1.0	900.10	428.00
045-315-028	11145 AVION RD	SFR	1.0	900.10	428.00
045-315-029	11155 AVION RD	SFR	1.0	900.10	428.00
045-315-030	11165 AVION RD	SFR	1.0	900.10	428.00
045-315-031	11175 AVION RD	SFR	1.0	900.10	428.00
045-315-032	11185 AVION RD	SFR	1.0	900.10	428.00
045-315-033	11195 AVION RD	SFR	1.0	900.10	428.00
045-316-041	9350 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-042	9352 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-043	9354 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-044	9356 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-045	9358 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-046	9360 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-047	9362 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-048	9364 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-049	9366 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-050	9368 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-051	9369 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-052	9367 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-053	9374 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-054	9363 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-055	9361 RIBERENA CIR	CON	0.8	675.08	321.00
045-316-056	9355 RANADA CIR	CON	0.8	675.08	321.00
045-316-057	9357 RANADA CIR	CON	0.8	675.08	321.00
045-316-058	9359 RANADA CIR	CON	0.8	675.08	321.00
045-316-059	9361 RANADA CIR	CON	0.8	675.08	321.00
045-316-060	9363 RANADA CIR	CON	0.8	675.08	321.00
045-316-061	9371 CADENCIA CT	CON	0.8	675.08	321.00
045-316-062	9373 CADENCIA CT	CON	0.8	675.08	321.00

Slight variances may occur due to rounding

**City of Atascadero**  
**Street & Storm Drain Maintenance No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-316-063	9375 CADENCIA CT	CON	0.8	675.08	321.00
045-316-064	9377 CADENCIA CT	CON	0.8	675.08	321.00
045-316-065	9379 CADENCIA CT	CON	0.8	675.08	321.00
045-316-066	9381 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-067	9383 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-068	9385 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-069	9387 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-070	9389 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-071	9388 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-072	9386 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-073	9384 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-074	9382 CIELO AZUL CT	CON	0.8	675.08	321.00
045-316-075	9380 CIELO AZUL CT	CON	0.8	675.08	321.00
<b>181 Accounts</b>			<b>231.8</b>	<b>208,599.18</b>	<b>99,189.00</b>
<b>181 Total Accounts</b>			<b>231.8</b>	<b>208,599.18</b>	<b>\$99,189.00</b>

Slight variances may occur due to rounding

**DRAFT RESOLUTION D**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR THE ATASCADERO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 02 (WOODRIDGE) FOR FISCAL YEAR 2023/2024 PURSUANT TO THE PROVISIONS OF PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) hereby finds, determines, resolves and orders as follows:

**WHEREAS**, the City Council has, by previous Resolutions, formed the Atascadero Landscaping and Lighting Maintenance District No. 02 (Woodridge) (hereafter referred to as “District”) pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the “Act”) that provides for levy and collection of assessments by the County of San Luis Obispo for the City of Atascadero to pay the maintenance and services of lighting facilities, landscaping, and appurtenant facilities and operations related thereto; and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the City Council has retained NBS for the purpose of assisting with the Annual Levy of the District and to prepare and file a report with the City Clerk in accordance with the Act.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1. Engineer’s Annual Levy Report:** The City Council hereby orders NBS to prepare the Engineer’s Annual Levy Report concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22622* of the Act.

**SECTION 2. Proposed Improvements and Any Substantial Changes in Existing Improvements:** The improvements within the District include the ongoing operation, administration, maintenance, servicing and incidental expenses related to the dedicated landscape areas, public street lighting and appurtenant facilities authorized pursuant to the Act that were installed as part of property development and associated with the District. Said improvements may include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or right-of-ways constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District. The Engineer's Annual Levy Report describes any new improvements or substantial changes in existing improvements.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

**DRAFT RESOLUTION E**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, FOR PRELIMINARY APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT FOR THE ATASCADERO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 02 (WOODRIDGE) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as "City Council") does resolve as follows:

**WHEREAS**, the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the "Report") for the district known and designated as the Atascadero Landscaping and Lighting Maintenance District No. 02 (Woodridge) (hereafter referred to as the "District") pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division of the Streets and Highways Code of California, beginning with Section 22500* (hereafter referred to as the "Act"); and

**WHEREAS**, the District and the associated assessments are in compliance with the provisions of California Constitution Article XIID; and

**WHEREAS**, the City Council has now been presented with the Report as required by *Chapter 1, Article 4, Section 22566* of said Act; and

**WHEREAS**, the City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the Report, each of the budget items and documents as set forth therein and is satisfied on a preliminary basis that the proposed assessments have been spread in accordance with the benefits received from the improvements, operation, maintenance, and services to be performed within each benefit zone as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero as follows:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** That the presented Report consists of the following:

- a. A Description of the Improvements
- b. The Annual Budget (Costs and Expenses of Services, Operation, and Maintenance)
- c. The Method of Apportionment that details the method of calculating each parcel's proportional special benefits and annual assessment.
- d. The District Roll containing the proposed assessment for each parcel within the District for Fiscal Year 2023/2024.

**SECTION 3.** The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution, and the minutes of this meeting shall so reflect the presentation of the Report.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

On motion by Council Member \_\_\_\_\_ and seconded by Council Member \_\_\_\_\_, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk



**DRAFT RESOLUTION F**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR THE ATASCADERO LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT NO. 02 (WOODRIDGE) FOR FISCAL YEAR 2023/2024**

The City Council of the City of Atascadero (hereafter referred to as “City Council”) does resolve as follows:

**WHEREAS**, The City Council has by previous Resolution initiated proceedings for fiscal year 2023/2024 regarding the levy and collection of assessments for the Atascadero Landscaping and Lighting District No. 02 (Woodridge) (hereafter referred to as the “District”). Pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with section 22500)* (hereafter referred to as the “Act”), assessments for the District shall be levied and collected by the County of San Luis Obispo for the City of Atascadero to pay the maintenance and services of the improvements and facilities related thereto; and

**WHEREAS**, the proposed District assessments for fiscal year 2023/2024 are less than or equal to the maximum assessments previously approved in accordance with the requirements of the California Constitution, Article XIID; and

**WHEREAS**, there has now been presented to this City Council an Engineer’s Annual Levy Report (hereafter referred to as the “Engineer’s Report”), and said Engineer’s Report has been filed with the City Clerk in accordance with the Act; and

**WHEREAS**, the City Council has examined and reviewed the Engineer’s Report as presented and is satisfied with the Report, each of the budget items and documents as set forth therein and is satisfied that the proposed assessments contained therein, have been spread in accordance with the benefits received from the improvements, operation, maintenance and services to be performed within the District, as set forth in said Report.

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Atascadero pursuant to Chapter 3, Section 22624 of the Act, as follows:

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the Act, over and including the lands, lots and parcels within the District boundary. The City Council further declares its intention to levy and collect assessments on such land to pay the annual costs and expenses of the improvements and services described in Section 4 of this Resolution, for fiscal year 2023/2024.

**SECTION 3.** The boundaries of the District are described in the Engineer’s Report and are consistent with the boundary established and described in the original formation documents, on file

with the City Clerk, and incorporated herein by reference. The District is within the boundaries of the City of Atascadero, within the County of San Luis Obispo, State of California and includes the territory known as Woodridge and referred to as the “Atascadero Landscaping and Lighting District No. 02”.

**SECTION 4.** The improvements within the District include the ongoing maintenance, operation and servicing of local landscaping and street lighting improvements established or installed in connection with development of properties within the District. These improvements generally include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or right-of-ways constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District.

**SECTION 5.** The proposed assessments for fiscal year 2023/2024, as outlined in the Engineer’s Report, do not exceed the maximum assessment approved by the property owners through a property owner balloting proceeding conducted in 2005. As such, the proposed assessments do not constitute an increased assessment and do not require additional property owner approval in accordance with the requirements of the California Constitution, Article XIID.

**SECTION 6.** The City Council hereby declares its intention to conduct a Public Hearing concerning the District and the levy of assessments in accordance with *Chapter 3, Section 22626* of the Act.

**SECTION 7.** Notice is hereby given that a Public Hearing on these matters will be held by the City Council on Tuesday, June 13, 2023, at 6:00 p.m., at the City Council Chambers, 6500 Palma Avenue, Atascadero, California or as soon thereafter as feasible. At the Public Hearing, all interested persons shall be given an opportunity to hear and be heard on the proposed assessment to be levied for fiscal year 2023/2024 as contained in the Engineer’s Report on file in the City Clerk’s Office.

**SECTION 8.** The City Clerk shall give notice of the time and place of the Public Hearing to all property owners within the District pursuant to Sections 22626, 22552 and 22553 of the Act and 6061 of the Government Code by publishing this Resolution of Intention in a local newspaper one time at least 10 days prior to the Public Hearing.

**PASSED AND ADOPTED** at a regular meeting of the City Council held on the \_\_\_th day of \_\_\_\_\_, 2023.

CITY OF ATASCADERO:

\_\_\_\_\_  
Heather Moreno, Mayor

ATTEST:

\_\_\_\_\_  
Lara K. Christensen, City Clerk

# CITY OF ATASCADERO

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*Fiscal Year 2023/24 Engineer's Report For:*

**Landscaping and Lighting District**

**District No. 02 Las Lomas (Woodridge)**

**May 2023**

Prepared by:



[nbsgov.com](http://nbsgov.com)

**CITY OF ATASCADERO**  
**Landscaping & Lighting District No. 02**  
**Las Lomas (Woodridge)**

**6500 Palma Avenue**  
**Atascadero, CA 93422**  
**Phone – (805) 461-5000**  
**Fax – (805) 461-7612**

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**CITY COUNCIL**

Heather Moreno, Mayor

Susan Funk, Mayor Pro Tem

Charles Bourbeau, Council Member

Mark Dariz, Council Member

Heather Newsom, Council Member

**AGENCY STAFF**

Rachelle Rickard, City Manager

Jeri Rangel, Administrative Services Director

Cindy Chavez, Deputy Director of Administrative Services

**NBS**

Tim Seufert, Client Services Director

Adina McCargo, Project Manager

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# 1. ENGINEER’S LETTER

**WHEREAS**, on March 24, 2005 by Resolution No. 2005-051, the City Council of the City of Atascadero (the “City”), State of California, in accordance with and pursuant to the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500 (the “1972 Act”) established the City of Atascadero Landscaping and Lighting District No. 02 Las Lomas (Woodridge) (the “District”); and

**WHEREAS**, on May 9, 2023 the City Council, under the 1972 Act, adopted its Resolution Initiating Proceedings for the Annual Levy of Assessments and Ordering the Preparation of an Engineer’s Report for the District; and

**WHEREAS**, the Resolution Initiating Proceedings directed NBS to prepare and file a report describing the general nature, location, and extent of the improvements to be maintained; an estimate of the costs of the maintenance, operations, and servicing of the improvements for the District for the referenced fiscal year; a diagram for the District, showing the area and properties to be assessed; and an assessment of the estimated costs of the administration, maintenance, operations, and servicing the improvements, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received.

**NOW THEREFORE**, the assessments as detailed in this Engineer’s Report and as summarized in the table below are made to cover the portion of the estimated costs of maintenance, operation and servicing of the improvements to be paid by the assessable real property within the District in proportion to the special benefit received. The following table summarizes the proposed assessment for Fiscal Year 2023/24:

**FY 2023/24 Budget Summary**

Description	Total Costs	Costs Not Assessed	Proposed Assessment	Total Benefit Units	Maximum Rate	Proposed Rate Per BU
Annual Maintenance	\$88,890	(\$2,250)	\$86,640			
Special Project	20,000	0	20,000			
Administration	6,730	0	6,730			
Capital Reserve Collections/(Use)	(5,433)	(250)	(5,683)			
Levy Adjustments	(\$36,027)	\$2,500	(\$33,527)			
<b>Total</b>	<b>\$74,160.00</b>	<b>\$0</b>	<b>\$74,160.00</b>	<b>231.75</b>	<b>\$2,235.20</b>	<b>\$320.00</b>

I, the undersigned, respectfully submit the enclosed Engineer’s Report and, to the best of my knowledge, information, and belief, the Engineer’s Report, Assessments, and the Assessment Diagram herein have been prepared, computed, and levied in accordance with the assessment methodology adopted, approved, and ordered by the City Council of the City of Atascadero and the 1972 Act.

\_\_\_\_\_  
 City Engineer

## 2. EXECUTIVE SUMMARY

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Pursuant to the provisions of the Landscaping and *Lighting Act of 1972*, being *Part 2 of Division 15* of the *California Streets and Highways Code*, commencing with *Section 22500* (hereafter referred to as the “1972 Act”), and in compliance with the substantive and procedural requirements of the California State Constitution Article XIID (hereafter referred to as “Article XIID”), the City Council of the City of Atascadero, County of San Luis Obispo, State of California (hereafter referred to as “City”), executed the proceedings required for the establishment of the special benefit assessment district designated as:

### ***Landscaping and Lighting District No. 02 Las Lomas (Woodridge)***

(hereafter referred to as the “District”), which includes the lots and parcels of land within the residential subdivision known as Las Lomas (Woodridge), Tract 2525-1 within the City limits of the City. This Engineer’s Report (hereafter referred to as the “Report”) has been prepared in connection with the levy and collection of annual assessments related thereto for Fiscal Year 2023/24, as required pursuant to Chapter 1, Article 4 of the 1972 Act.

The City Council formed the District, and provided for the levy and collection of annual assessments on the County tax rolls to provide ongoing funding for the costs and expenses required to service and maintain the landscaping and lighting improvements associated with and resulting from the development of properties within the District. The improvements to be provided by the District and the assessments described herein are made pursuant to the 1972 Act and the substantive and procedural provisions of Article XIID.

This Report describes the District, the improvements, and the proposed assessments to be levied against properties in connection with the special benefits the properties will receive from the maintenance and servicing of the District improvements. The annual assessments will provide a funding source for the continued operation and maintenance of public landscaping and lighting improvements installed in connection with the development of properties within the District.

The improvements and assessments described in this Report are based on the planned development of properties within the District and represent an estimate of the direct expenditures, incidental expenses, and fund balances that will be necessary to maintain and service the improvements. The boundaries of the District, the proposed improvements, the method of apportionment, and assessments described herein are based on current development plans and specifications for Tract 2525-1; and by reference these plans and specifications are made part of this Report.

The word “parcel,” for the purposes of this Report, refers to an individual property assigned its own Assessor’s Parcel Number (APN) by the San Luis Obispo County Assessor’s Office. The San Luis Obispo County Auditor/Controller uses Assessor’s Parcel Numbers and specific Fund Numbers to identify properties to be assessed on the tax roll for the special benefit assessments.

As part of the District formation, the City of Atascadero conducted a Property Owner Protest Ballot proceeding for the proposed levy of a new assessment pursuant to the provisions of the California Constitution, Article XIID Section 4. In conjunction with this ballot proceeding, the City Council conducted a noticed public hearing on May 24, 2005 to consider public testimonies, comments and written protests regarding the formation of the District and levy of assessments. Upon conclusion of the public hearing,

property owner protest ballots received were opened and tabulated to determine whether majority protest existed (ballots were weighted based on assessment amounts), and by resolution the City Council confirmed the results of the ballot tabulation. Tabulation of the ballots indicated that majority protest did not exist for the proposed assessments and the assessment range formula presented and described herein, the City Council approved the Report (as submitted or amended), ordered the formation of the District, and approved the levy and collection of assessments. The assessments for Fiscal Year 2005/2006 were submitted to the San Luis Obispo County Auditor/Controller for inclusion on the property tax roll for each parcel.

Each subsequent fiscal year, an Engineer's Report shall be prepared and presented to the City Council describing the District any changes to the District or improvements and the proposed budget and assessments for that fiscal year and the City Council shall hold a noticed public hearing regarding these matters prior to approving and ordering the proposed levy of assessments. If the proposed assessments for the District exceed the maximum assessment described herein (as approved by the property owners), the new or increased assessment must be confirmed through another property owner protest ballot proceeding before such an assessment may be imposed. It should be noted that an increased assessment to an individual property resulting from changes in development or land use does not constitute an increased assessment.



## 3. PLANS AND SPECIFICATIONS

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### 3.1 Description of the District

The territory within the District consists of the lots, parcels and subdivisions of land within the residential subdivision known as the Las Lomas (Woodridge), Tract 2525-1, which encompasses an area of land totaling approximately one hundred and eleven acres (111.20 acres).

This residential subdivision includes one hundred forty-three (143) single-family residential units; thirty-five (35) condominium/senior housing units; and a single one hundred (100) unit multi-family residential project at build-out. Due to parcel splits the multi-family residential project is spread over three parcels. The planned subdivision is situated in the southeast portion of the City of Atascadero and is generally located:

- South and east of Halcon Road;
- East of Highway 101 and El Camino Real
- South and west of the Southern Pacific Railroad Tracks; and
- North of Salinas Road and Santa Cruz Road

### 3.2 Improvements and Services Authorized by the 1972 Act

As generally defined by the 1972 Act and applicable to this District, the improvements and associated assessments may include one or more of the following:

- 1) The installation or planting of landscaping;
- 2) The installation or construction of statuary, fountains, and other ornamental structures and facilities;
- 3) The installation or construction of public lighting facilities including, but not limited to street lights and traffic signals;
- 4) The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof;
- 5) The installation of park or recreational improvements, including, but not limited to, all of the following:
  - a) Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
  - b) Lights, playground equipment, play courts, and public restrooms.
- 6) The acquisition of land for park, recreational, or open-space purposes or any existing improvement otherwise authorized pursuant to this section.
- 7) The maintenance or servicing, of any of the foregoing including the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of any improvement including but not limited to:
  - a) Repair, removal, or replacement of all or any part of any improvements;
  - b) Grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;

- c) Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury;
  - d) The removal of trimmings, rubbish, debris, and other solid waste;
  - e) The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti;
  - f) Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements;
  - g) Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.
- 8) Incidental expenses associated with the improvements including, but not limited to:
- a) The cost of preparation of the report, including plans, specifications, estimates, diagram, and assessment;
  - b) The costs of printing, advertising, and the publishing, posting and mailing of notices;
  - c) Compensation payable to the County for collection of assessments;
  - d) Compensation of any engineer or attorney employed to render services;
  - e) Any other expenses incidental to the construction, installation, or maintenance and servicing of the improvements;
  - f) Costs associated with any elections held for the approval of a new or increased assessment.

### 3.3 Description of Improvements and Services

The purpose of this District is to ensure the ongoing maintenance, operation and servicing of local landscaping and street lighting improvements established or installed in connection with development of properties within the District. The improvements may consist of all or a portion of the public landscaped areas, street lighting and appurtenant facilities within and adjacent to the District (Tract 2525-1). These improvements generally include, but are not limited to the materials, equipment, utilities, labor, appurtenant facilities and expenses necessary for the ongoing maintenance and operation of public street lighting as well as landscaped parkways, medians, slopes, trails, park areas, drainage basins, open space areas and other designated easements or rights-of-way constructed and installed as part of the development plans and agreements approved for the development of each lot and parcel within the District. The improvements to be maintained and funded entirely or partially through the District assessments are generally described as:

- Streetscape landscaping including street trees located on the perimeter of the development and interior streets of Tract 2525-1 that are within the public rights-of-way or easements and dedicated to the City for maintenance;
- Open space areas and fuel modification areas within or adjacent to the District boundaries;
- Park areas, recreational equipment, trails and landscaped drainage facilities developed and constructed as part of developing properties within Tract 2525-1;
- Public lighting facilities including street lighting, safety lighting and ornamental lighting installed as part of the residential development or landscaped improvement areas
- Appurtenant facilities, equipment, materials and utilities related to the aforementioned improvements;

- Specifically not included as District improvements are those improvements located on private property, improvements and facilities that may be provided or maintained by an agency other than the City; improvements and facilities that may be provide by another assessment or tax levied by the City or any improvement provided and maintained by a Homeowner’s Association or similar entity.

Detailed maps and descriptions of the location and extent of the specific improvements to be maintained by the District are on file in the Office of Public Works and by reference are made part of this Report. Those portions of the District improvements that may be identified as general benefit or will be funded in whole or in part by other revenue sources as part of the approved development agreements, will not be included as part of the District assessments. The net annual cost to provide and maintain the improvements determined to be of special benefit shall be allocated to each property in proportion to the special benefits received.

### 3.3.1 LANDSCAPE IMPROVEMENTS

The landscape improvements for the District may include, but are not limited to turf, ground cover, shrubs and plants, trees, irrigation and drainage systems, ornamental lighting, masonry walls or other fencing, hardscape improvements, monuments, and associated appurtenant facilities located within the landscape easements or public rights-of-way. Specifically, the landscape improvement areas for this District are identified as:

- Approximately 34,420 square feet of streetscape landscaping and trees within the public rights-of-way along or adjacent to Halcon Road, Calle Milano, Via Cielo and Eliano Street including but not limited to approximately 27,200 square feet of parkway landscaping and 7,220 square feet of median landscaping;
- Approximately 220,850 square feet (5.07 acres) of landscaped slope areas within the District boundaries and adjacent to the residential properties, open space areas, drainage basins and streets of Tract 2525-1;
- Approximately 175,550 square feet (4.03 acres) of landscaped area in and around the two (2) drainage basins within Tract 2525-1;
- Approximately 106,460 square feet of non-irrigated open space area within the District;
- Approximately 1,981,980 square feet of non-irrigated open space area within the boundaries of the District associated with the development of the residential properties within Tract 2525-1;
- Approximately 225 street trees located within the public rights-of-way of the streets within Tract 2525-1 including but not limited to Calle Milano, Via Cielo, Eliano Street, Avion Road, Azor Lane and Alcotan Lane;
- Approximately 1,910 square feet of paths and trails, 45,265 square feet sidewalks and 6,100 linear feet of fencing within and adjacent to the various landscape improvement areas.

### 3.3.2 PUBLIC LIGHTING IMPROVEMENTS

The lighting improvements may include but are not limited to the cost of providing electrical energy and servicing of lighting fixtures, poles, meters, conduits, electrical cable and associated appurtenant facilities associated with:

- There are five (5) public streetlights currently planned for Tract 2525-1. These streetlights are located on Calle Milano between Halcon Road and Eliano Street (The entryway to the residential properties within the District);
- Lighting facilities may also include but are not limited to safety lights, security lights or ornamental lights located within the various landscape improvement areas installed as part of the District's landscape improvements.

## 4. ESTIMATE OF COSTS

BUDGET	Total Budget	Costs Not Assessed	2023/24 Assessment
<b>DIRECT COSTS</b>			
<b>Annual Costs</b>			
Landscape Services	\$65,000	(2,250)	\$62,750
Landscape Supplies	2,000	0	2,000
Landscape Utilities	7,540	0	7,540
City Landscape Services	11,250	0	11,250
Other Maintenance Services	3,100	0	3,100
<b>Total Annual Direct Costs</b>	<b>\$88,890</b>	<b>(\$2,250)</b>	<b>\$86,640</b>
<b>CAPITAL EXPENDITURES</b>			
Special Projects	\$20,000	\$0	\$20,000
<b>Total Annual Special Projects</b>	<b>\$20,000</b>	<b>\$0</b>	<b>\$20,000</b>
<b>ADMINISTRATION EXPENSES</b>			
<b>Annual Administration Expenses</b>			
City Annual Administration	\$1,500	\$0	\$1,500
Engineer's Report & Services	4,880	0	4,880
Public Noticing	350	0	350
<b>Total Administration</b>	<b>\$6,730</b>	<b>\$0</b>	<b>\$6,730</b>
<b>TOTAL DIRECT &amp; ADMINISTRATION COSTS</b>	<b>\$115,620</b>	<b>(\$2,250)</b>	<b>\$113,370</b>
<b>CAPITAL RESERVE COLLECTIONS/(USES)</b>			
Landscape Rehabilitation/Replacement	\$3,128	\$0	\$3,128
Median Rehabilitation/Replacement	138	0	138
Open Space Rehabilitation/Replacement	1,000	(250)	750
Tree Rehabilitation/Replacement	(14,194)	0	(14,194)
Slope Rehabilitation/Replacement	3,754	0	3,754
Other Rehabilitation/Replacement	741	0	741
<b>Total Annual Capital Reserve Collections/(Uses)</b>	<b>(\$5,433)</b>	<b>(\$250)</b>	<b>(\$5,683)</b>
<b>LEVY ADJUSTMENTS</b>			
Interest Income - Improvement Fund	(\$2,977)	\$0	(\$2,977)
Interest Income - Operating Reserve Fund	(2,093)	0	(2,093)
Contribution from Other Sources	(2,500)	(2,500)	0
Reserve Collection/(Use)	(28,457)	0	(28,457)
<b>Total Levy Adjustments</b>	<b>(\$36,027)</b>	<b>(\$2,500)</b>	<b>(\$33,527)</b>
<b>BALANCE TO LEVY</b>	<b>\$74,160</b>	<b>\$0</b>	<b>\$74,160</b>
<b>DISTRICT STATISTICS</b>			
Total Parcels			191
Parcels Levied			181
Total EBU <sup>(1)</sup>			231.75
<b>Levy per EBU</b>			<b>\$320.00</b>
Maximum Levy per EBU			\$2,235.20
<b>FUND BALANCE INFORMATION</b>			
Beginning Operating Reserve Balance			\$45,716
Operational Reserve Interest			2,093
Surplus Transfer from Improvement Fund			48,388
Operational Reserve Collection (Use)			(33,527)
Estimated Ending Operating Reserve Balance			<b>\$62,670</b>
Beginning Improvement Fund Balance			\$140,243
Improvement Fund Interest			2,977
Surplus Transfer to Operations Fund			(48,388)
Improvement Fund Collection/(Use)			(5,433)
Estimated Ending Improvement Fund Balance			<b>\$89,399</b>

<sup>(1)</sup> Levy per EBU rate does not include the County of San Luis Obispo fee of \$2.00 per parcel

## 5. METHOD OF ASSESSMENT

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### 5.1 General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements, which include the construction, maintenance, and servicing of public lights, landscaping and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

*“The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.”*

The method of apportionment described in this Report for allocation of special benefit assessments utilizes commonly accepted engineering practices and have been established pursuant to the 1972 Act and the provisions of Article XIID. The formulas used for calculating assessments reflects the composition of parcels within the District and the improvements and services provided, to fairly apportion the costs based on the special benefits to each parcel.

### 5.2 Benefit Analysis

Each of the proposed improvements, the associated costs and assessments have been carefully reviewed, identified and allocated based on special benefit pursuant to the provisions of the 1972 Act and Article XIID. The improvements provided by this District and for which properties will be assessed have been identified as necessary, required and/or desired for the orderly development of the properties within the District to their full potential, consistent with the development plans and applicable portions of the City General Plan. As such, these improvements would be necessary and required of individual property owners for the development of such properties and the ongoing operation, servicing and maintenance of these improvements would be the financial obligation of those properties. Therefore, the improvements and the annual costs of ensuring the maintenance and operation of the improvements are a distinct and special benefit to the properties within the District. Any improvement or portion thereof that is considered to be of general benefit shall be funded by other revenue sources and not included as part of the special benefit assessments allocated to properties within the District.

#### 5.2.1 SPECIAL BENEFIT

The method of apportionment (method of assessment) established herein is based on the premise that each assessed parcel within the District receives special benefits from the improvements and the desirability and security of those properties is enhanced by the presence of public lighting and well-maintained landscaping in close proximity to those properties.

The special benefits associated with landscape improvements are specifically:

- Enhanced desirability of properties through association with the improvements.

- Improved aesthetic appeal of properties providing a positive representation of the area and properties.
- Enhanced adaptation of the urban environment within the natural environment from adequate green space and landscaping
- Environmental enhancement through improved erosion resistance, dust and debris control, and fire prevention.
- Increased sense of pride in ownership of property within the District resulting from well-maintained improvements associated with the properties.
- Enhanced quality of life through well-maintained green space and landscaped areas.
- Reduced criminal activity and property-related crimes (especially vandalism) against properties in the District through well-maintained surroundings and amenities including abatement of graffiti.
- Enhanced environmental quality of the parcels by moderating temperatures, providing oxygenation and attenuating noise.

The special benefits of street lighting and other public lighting facilities are the convenience, safety, and security of property, improvements, and goods. Specifically:

- Enhanced deterrence of crime and the aid to police protection.
- Increased nighttime safety on roads, streets and public areas.
- Improved ability of pedestrians and motorists to see.
- Improved ingress and egress to property.
- Reduced vandalism and other criminal act and damage to improvements or property.
- Improved traffic circulation and reduced nighttime accidents and personal property loss.

The preceding special benefits contribute to the esthetic value and desirability of each of the assessed parcels within the District and thereby provide a special enhancement of the properties. Furthermore, it has been determined that the lack of funding to properly service and maintain the District improvements would have a negative impact on the properties within the District.

### 5.2.2 GENERAL BENEFIT

In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way and other amenities available or visible to the public at large, the construction and installation of these improvements (except portions of the open space areas) were only necessary for the development of properties within the District and were not required nor necessarily desired by any properties or developments outside the District boundary and any public access or use of the improvements by others is incidental. Therefore, it has been determined that the improvements and the ongoing maintenance, servicing and operation of those improvements provide no measurable general benefit to properties outside the District or to the public at large, but clearly provide distinct and special benefits to properties within the District. With respect to the open space areas, these areas are an integral part of property development within the District and clearly provide a direct and special benefit those properties. However, it is

also recognized that the majority of this open space area is located on the perimeter of the District and is directly accessible from surrounding properties and the public at large. Therefore, it has been determined that up to twenty-five percent (25%) of the costs to maintain this area shall be allocated as general benefit and not assessed as part of the District's special benefit assessments

### 5.3 Assessment Methodology

The method of apportionment for the District calculates the receipt of special benefit from the respective improvements based on the actual or proposed land use of the parcels within the District. The special benefit received by each lot or parcel is equated to the overall land use of parcels within the District based on the parcel's actual land use or proposed development.

The costs associated with the improvements shall be fairly distributed among the parcels based upon the special benefit received by each parcel. Additionally, in compliance with the Article XIID Section 4, each parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred to that parcel. The benefit formula used to determine the assessment obligation is therefore based upon both the improvements that benefit the parcels within the District as well as the proposed land use of each property as compared to other parcels that benefit from those specific improvements.

To identify and determine the special benefit to be received by each parcel and their proportionate share of the improvement costs it is necessary to consider the entire scope of the planned improvements as well as individual property development within the District. Upon review of the proposed improvements it has been determined that each of the residential parcels within the District receives special benefits from the improvements to be funded by annual assessments and based on the planned property development a single zone of benefit is appropriate for the allocation of the assessments and proportional benefit.

#### 5.3.1 EQUIVALENT BENEFIT UNITS:

To assess benefits equitably it is necessary to relate each property's proportional special benefits to the special benefits of the other properties within the District. The method of apportionment established for most districts formed under the 1972 Act utilizes a weighted method of apportionment known as an Equivalent Benefit Unit methodology that uses the single-family home site as the basic unit of assessment. A single-family home site equals one Equivalent Benefit Unit (EBU) and the other land uses are converted to a weighted EBU based on an assessment formula that equates the property's specific development status, type of development (land use), and size of the property, as compared to a single-family home site.

Although the Equivalent Benefit Unit method of apportioning special benefit is most commonly used and applied to districts that have a wide range of land use classifications (residential and non-residential use), this District is comprised of only residential properties and the following apportionment analysis of special benefit addresses only residential land uses. Not all land use types described in the following are necessarily applicable to the development of properties within this District, but are presented for comparison purposes to support the proportional special benefit applied to those land use types within the District.



### 5.3.2 EBU APPLICATION BY LAND USE:

- (1) Single-family Residential** — This land use is defined as a fully subdivided residential home site with or without a structure. This land use is assessed 1.00 EBU per lot or parcel. This is the base value that the other properties are compared and weighted against regarding special benefit (i.e. Equivalent Benefit Unit “EBU”).
- (2) Multi-family Residential** — This land use is defined as a fully subdivided residential parcel that has more than one residential unit developed on the property. (This land use typically includes apartments, duplexes, triplex etc., but does not generally include condominiums, town-homes or mobile home parks). Based on average population densities and size of the structure as compared to a typical single-family residential unit, multi-family residential parcels shall be proportionately assessed for the parcel’s total number of residential units utilizing a sliding benefit scale. Although multi-family properties typically receive similar benefits to that of a single-family residential, it would not be reasonable to conclude that on a per unit basis, the benefits are equal. Studies have consistently shown that the average multi-family unit impacts infrastructure approximately 75% as much as a single-family residence (Sample Sources: Institute of Transportation Engineers Informational Report Trip Generation, Fifth Edition; Metcalf and Eddy, Wastewater Engineering Treatment, Disposal, Reuse, Third Edition). These various studies indicate that most public improvements and infrastructure are utilized and impacted at reduced levels by multi-family residential units and a similar reduction in proportional benefit is appropriate. Furthermore, it is also reasonable to conclude that as the density (number of units) increases the proportional benefit per unit tends to decline because the unit size and people per unit usually decreases. Based on these considerations and the improvements provided by this District, an appropriate allocation of special benefit for multi-family residential properties as compared to a single-family residential is best represented by the following special benefit assignment: 0.75 EBU per unit for the first 50 units; 0.50 EBU per unit for units 51 through 100; and 0.25 EBU per unit for remaining units.
- (3) Condominium/Town-home Units** — Condominiums and town-homes tend to share attributes of both single-family residential and multi-family residential properties and for this reason are identified as a separate land use classification. Like most single-family residential properties, these properties are not usually considered rental property and generally, the County assigns each unit a separate APN or assessment number. However, condominiums and town-homes often have similarities to multi-family residential properties in that they are generally zoned medium to high density and in some cases may involve multiple units on a single APN. In consideration of these factors, it has been determined that an appropriate allocation of special benefit for condominiums, town-homes and similar residential properties is best represented by an assignment of 0.75 EBU per unit regardless of whether each unit is assigned an individual APN or there are multiple units assigned to an APN. (There is no adjustment for parcels with more than five units).
- (4) Planned-Residential Development** — This land use is defined as any property for which a tentative or final tract map has been filed and approved (a specific number of residential lots and units has been identified) and the property is expected to be subdivided within the fiscal year or is part of the overall improvement and development plan for the District. This land use classification often times involves more than a single parcel (e.g. the approved tract map encompasses more than a

single APN). Each parcel that is part of the approved tract map shall be assessed proportionately for the proposed or estimated residential type and units to be developed on that parcel as part of the approved tract map. Accordingly, each parcel is assigned an appropriate number of benefit units that reflects the development of that property at build-out. (The EBU assigned to each parcel shall represent the combination of single-family, condominium, multi-family units to be developed).

**(5) Vacant Residential** — This land use is defined as property currently zoned for residential development, but a tentative or final tract map for the property has not yet been approved. Based upon the opinions of professional appraisers who appraise market property values for real estate in California, the land value portion of a property typically ranges from 20 to 30 percent of the total value of a developed residential property (the average is about 25 percent). Although the assessed value of an individual property is not a direct reflection of the property's special benefit, this general correlation between land value and structure value does provide a reasonable basis for apportioning special benefit for vacant residential properties. Utilizing this twenty-five percent (25%) apportionment and the number of single-family residential units typically developed per acre of land (an average of 4 residential units per acre) an Equivalent Benefit Unit of 1.00 EBU per acre (4 units per acre x 25%) is derived and presents an appropriate apportionment of special benefit for vacant residential properties. Recognizing that the full and timely utilization of vacant property is reduced as the size of the property increases, it has been determined that the maximum EBU assigned to a vacant residential parcel shall not exceed 25.00 EBU (parcels in excess of 25 acres are assigned 25.00 EBU). Parcels less than one acre, shall be assigned a minimum of 1.00 EBU (similar to a vacant lot within a residential tract).

**(6) Exempt Parcels** — This land use identifies properties that are not assessed and are assigned 0.00 EBU. This land use classification may include but is not limited to:

- Lots or parcels identified as public streets and other roadways (typically not assigned an APN by the County);
- Dedicated public easements including open space areas, utility rights-of-way, greenbelts, parkways, parks or other publicly owned properties that are part of the District improvements or may provide other benefits to private properties within the District;
- Private properties that cannot be developed independently from an adjacent property, such as common areas, sliver parcels or bifurcated lots or properties with very restrictive development use;

These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment, but shall be reviewed annually by the assessment engineer to confirm the parcels' current development status. Government owned properties or public properties are not necessarily exempt properties and shall be subject to special benefit assessment unless it qualifies for an exempt status.

**(7) Special Cases** — In many districts where multiple land use classifications are involved, there are usually one or more properties for which the standard land use classifications do not accurately identify the special benefits received from the improvements. For example, a parcel may be identified as a Vacant Residential property, however only a small percentage of the parcel's

total acreage can actually be developed. In this case, an appropriate calculation would be based on the net acreage that can be utilized rather than the gross acreage of the parcel

The following table provides a summary of land use classifications and the Equivalent Benefit Unit calculations previously outlined.

Property Type	Equivalent Benefit Units	Multiplier
Single-family Residential	1.00	Per Unit/Lot/Parcel
Multi-family Residential	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
	0.25	Per Unit for all Remaining Units
Condominium/Townhome Units	0.75	Per Unit
Planned Residential Development	1.00	Per Planned SF Residential Lot
	0.75	Per Planned Condominium
	0.75	Per Unit for the First 50 Units
	0.50	Per Unit for Units 51-100
Planned Residential Development	0.25	Per Unit for all Remaining Units
	1.00	Per Acre
Vacant Residential Land	1.00	Per Acre
Exempt Parcels	0.00	Per Parcel

The following formula is used to calculate each parcel's EBU (proportional benefit).

$$\text{Parcel Type EBU} \times \text{Acres or Units} = \text{Parcel EBU}$$

The total number of Equivalent Benefit Units (EBU's) is the sum of the individual EBU's applied to parcels that receive special benefit from the improvements. An assessment amount per EBU (Assessment Rate) for the improvements is established by taking the total cost of the improvements and dividing that amount by the total number of EBU's of the parcels benefiting from the improvements. This Rate is then applied back to each parcel's individual EBU to determine the parcel's proportionate benefit and assessment obligation for the improvements.

$$\text{Total Balance to Levy} / \text{Total EBU} = \text{Levy per EBU}$$

$$\text{Levy per EBU} \times \text{Parcel EBU} = \text{Parcel Levy Amount}$$

## 5.4 Assessment Range Formula

Any new or increased assessment requires certain noticing and meeting requirements by law. Prior to the passage of Proposition 218 (California Constitution Articles XIII C and XIII D), legislative changes in the Brown Act defined a "new or increased assessment" to exclude certain conditions. These conditions included "any assessment that does not exceed an assessment formula or range of assessments previously adopted by the agency or approved by the voters in the area where the assessment is imposed." This definition and conditions were later confirmed through Senate Bill 919 (Proposition 218 implementing legislation).

The purpose of establishing an Assessment Range Formula is to provide for reasonable increases and inflationary adjustment to annual assessments without requiring costly noticing and mailing procedures, which could add to the District costs and assessments. As part of the District formation, the notice and assessment ballots presented to the property owners for approval included a maximum assessment

amount for Fiscal Year 2005/2006 (initial maximum assessment), identification of the corresponding maximum assessment rate and a summary of the Assessment Range Formula described herein.

The Assessment Range Formula for this District shall be applied to future assessments and is generally defined:

- If the proposed annual assessment (levy per EBU) for the upcoming fiscal year is less than or equal to the adjusted Maximum Assessment Rate, then the proposed annual assessment is not considered an increased assessment.
- The Maximum Assessment Rate is equal to the (Initial) Maximum Assessment Rate established for Fiscal Year 2005/2006 adjusted annually by the greater of, three percent (3%) or the annual percentage change in the Consumer Price Index (CPI) of “All Urban Consumers” for the San Francisco-Oakland-Hayward Area from February to February. The Maximum Assessment rate was increased by 5.3024% for Fiscal Year 2023/24.

Beginning with Fiscal Year 2006/2007 and each fiscal year thereafter, the Maximum Assessment Rate has been recalculated and a new Maximum Assessment Rate is established for the fiscal year utilizing the Assessment Range Formula described above. The Maximum Assessment Rate is calculated independent of the District’s annual budget and proposed assessment. The annual percentage change in CPI is based on available data provided by the U.S. Department of Labor; Bureau of Labor Statistics at the time the annual Report is prepared. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the City shall use the revised index or comparable system as approved by the City Council for determining fluctuations in the cost of living. In January 2018, BLS introduced a new geographic area sample for the CPI. As part of the change the index for this area was renamed from San Francisco-Oakland-San Jose to San Francisco-Oakland-Hayward. The metropolitan area is comprised of Alameda, Contra Costa, Marin, San Francisco and San Mateo Counties in the State of California. This CPI has and will be used in all subsequent reports or until such time there is a revision per the BLS and approval from the City Council.

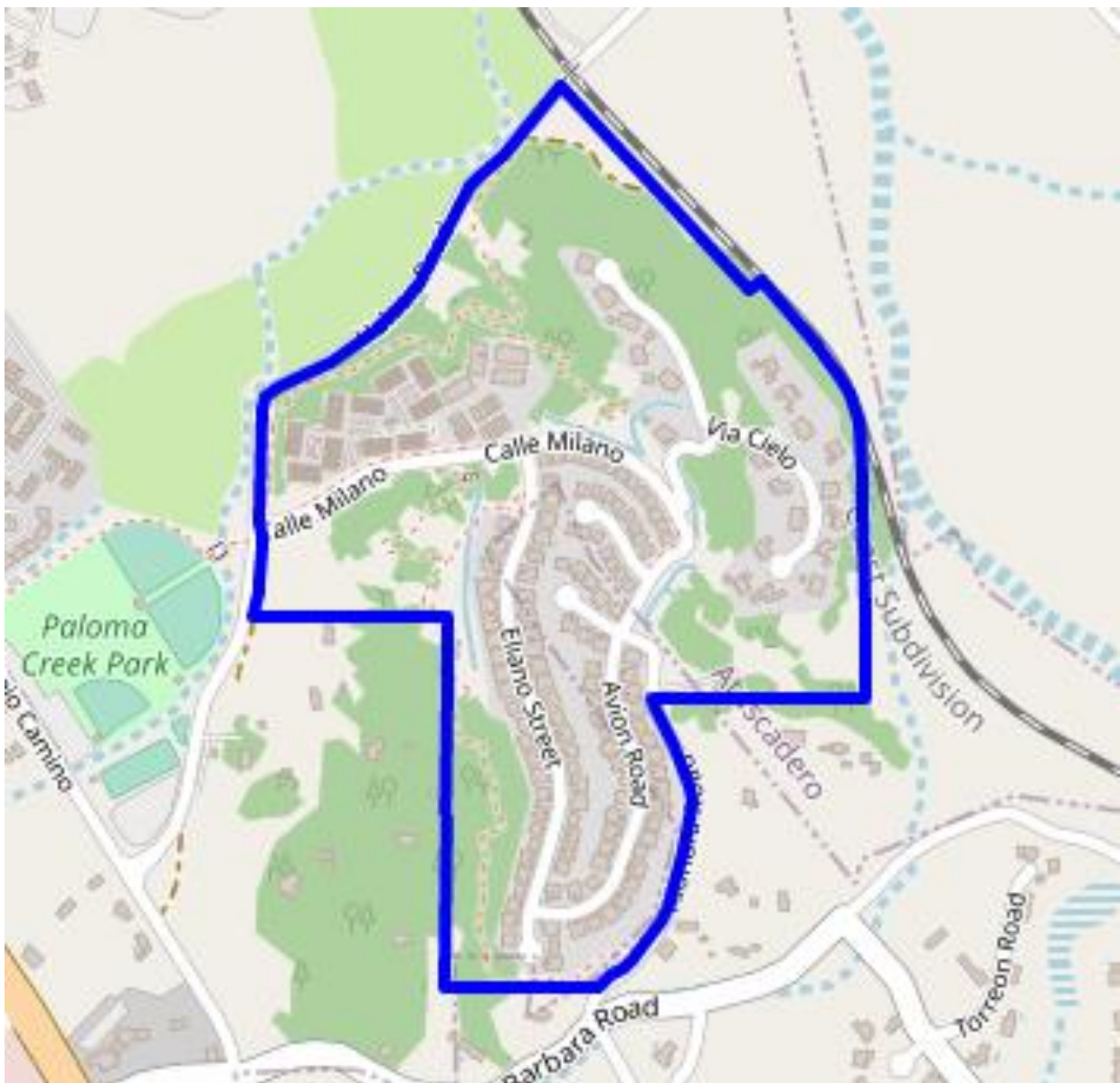
Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the method of apportionment that increase the proportional special benefit assigned to a particular land use classification would be considered an increased assessment. Conversely, reductions in the proportional special benefit assigned to a land use classifications are permitted. Changes in land use or size of an individual property resulting in an assessment increase, is not considered an increased assessment.

To impose a new or increased assessment other than the annual inflationary adjustment provided by the preceding Assessment Range Formula, the City must comply with the provisions of Article XIID Section 4c, that requires a public hearing and certain protest procedures including mailed notice of the public hearing and property owner protest balloting. Property owners through the balloting process must approve a proposed new or increased assessment before such an assessment may be imposed.

## 6. ASSESSMENT DIAGRAM

The parcels within the Landscaping and Lighting District No. 02 Las Lomas (Woodridge) consist of the lots, parcels and subdivisions of land located in the planned residential development known as Las Lomas (Woodridge), Tract 2525-1. The District covers approximately one hundred and eleven acres (111.20 acres) in the southeast portion of the City of Atascadero.

The following map is based on the District Diagram, the San Luis Obispo County Assessor's Maps and the San Luis Obispo County Assessor's information and identifies the parcels of land within the proposed District, as the same existed at the time the District was formed. The combination of the District Diagram on file with the City Clerk and the Assessment Roll contained in this Report constitute the District Assessment Diagram.



## 7. ASSESSMENT ROLL

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Parcel identification for each lot or parcel within the District is based on the Assessment Diagram presented herein and is based on available parcel maps and property data from the San Luis Obispo County Assessor's Office at the time the Engineer's Report was prepared. A listing of the lots and parcels to be assessed within this District along with the assessment amounts is provided herein.

Non-assessable lots or parcels may include, but are not limited to public streets and other roadways (typically not assigned an APN by the County); dedicated public easements, open space areas, rights-of-way, common areas; landlocked parcels, small parcels vacated by the County, bifurcated lots, and any other property that cannot be developed or has little or no value. These types of parcels are considered to receive little or no benefit from the improvements and are therefore exempted from assessment.

If any parcel submitted for collection is identified by the County Auditor/Controller to be an invalid parcel number for the fiscal year, a corrected parcel number and/or new parcel numbers will be identified and resubmitted to the County Auditor/Controller. The assessment amount to be levied and collected for the resubmitted parcel or parcels shall be based on the method of apportionment and assessment rate described in this Report as approved by the City Council. Therefore, if a single assessor's parcel has a status change in development, other land use change, or subdivides into multiple assessor's parcels, the assessment amounts applied to each of the new assessor's parcels shall be recalculated and applied according to the approved method of apportionment and assessment rate rather than a proportionate share of the original assessment amount.

**City of Atascadero**  
**Landscaping & Lighting Maint Dist No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-311-014	9341 DECHADO WAY	MFR	17.77	39,719.58	5,686.40
045-311-015	9261 LOS OLIVOS CIR	MFR	24.83	55,500.12	7,945.60
045-311-016	9110 CIRUELA WAY	MFR	19.90	44,480.57	6,368.00
045-312-001	9510 ALCOTAN RD	SFR	1.00	2,235.20	320.00
045-312-002	9520 ALCOTAN RD	SFR	1.00	2,235.20	320.00
045-312-003	11400 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-004	11390 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-005	11380 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-006	11370 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-007	11360 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-008	11350 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-009	11340 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-010	11320 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-011	11310 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-012	11305 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-013	11325 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-014	11335 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-015	11355 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-016	11365 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-017	11385 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-018	11395 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-019	11405 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-020	11415 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-021	11425 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-022	11435 ELIANO ST	SFR	1.00	2,235.20	320.00
045-312-023	9400 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-024	9410 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-025	9420 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-026	9430 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-027	9440 CALLE MILANO ST	SFR	1.00	2,235.20	320.00
045-312-028	9450 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-029	9460 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-030	9470 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-031	9480 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-032	9490 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-033	9500 CALLE MILANO	SFR	1.00	2,235.20	320.00
045-312-034	9510 CALLE MILANO RD	SFR	1.00	2,235.20	320.00
045-312-035	9520 CALLE MILANO RD	SFR	1.00	2,235.20	320.00
045-312-036	9535 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-037	9525 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-038	9515 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-039	9505 AZOR LN	SFR	1.00	2,235.20	320.00

Slight variances may occur due to rounding

**City of Atascadero**  
**Landscaping & Lighting Maint Dist No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-312-040	9495 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-041	9485 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-042	9475 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-043	9465 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-044	9470 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-045	9480 AZOR RD	SFR	1.00	2,235.20	320.00
045-312-046	9500 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-047	9520 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-048	9530 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-049	9540 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-050	9550 AZOR LN	SFR	1.00	2,235.20	320.00
045-312-051	9515 ALCOTAN RD	SFR	1.00	2,235.20	320.00
045-312-052	9505 ALCOTAN RD	SFR	1.00	2,235.20	320.00
045-312-053	9495 ALCOTAN RD	SFR	1.00	2,235.20	320.00
045-312-054	9485 ALCOTAN RD	SFR	1.00	2,235.20	320.00
045-312-055	9475 ALCOTAN RD	SFR	1.00	2,235.20	320.00
045-312-056	9500 ALCOTAN RD	SFR	1.00	2,235.20	320.00
045-313-001	11455 MONTE VERDE DR	SFV	1.00	2,235.20	320.00
045-313-002	9500 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-003	9550 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-004	9600 VIA CIELO RD	SFR	1.00	2,235.20	320.00
045-313-005	9650 VIA CIELO RD	SFR	1.00	2,235.20	320.00
045-313-006	9700 VIA CIELO RD	SFR	1.00	2,235.20	320.00
045-313-007	9655 VIA CIELO RD	SFR	1.00	2,235.20	320.00
045-313-008	9625 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-009	9575 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-010	9565 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-011	9555 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-012	9505 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-013	9515 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-014	9525 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-015	9535 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-018	9350 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-019	9402 VIA CIELO LN	SFR	1.00	2,235.20	320.00
045-313-020	9450 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-021	11450 MONTE VERDE	SFR	1.00	2,235.20	320.00
045-313-026	9250 VIA CIELO	SFR	1.00	2,235.20	320.00
045-313-027	9300 VIA CIELO	SFR	1.00	2,235.20	320.00
045-314-001	11290 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-002	11280 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-003	11270 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-004	11260 ELIANO ST	SFR	1.00	2,235.20	320.00

Slight variances may occur due to rounding



**City of Atascadero**  
**Landscaping & Lighting Maint Dist No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-314-005	11250 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-006	11240 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-007	11220 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-008	11215 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-009	11225 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-010	11235 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-011	11245 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-012	11255 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-013	11265 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-014	11275 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-015	11285 ELIANO ST	SFR	1.00	2,235.20	320.00
045-314-016	11290 AVION RD	SFR	1.00	2,235.20	320.00
045-314-017	11280 AVION RD	SFR	1.00	2,235.20	320.00
045-314-018	11270 AVION RD	SFR	1.00	2,235.20	320.00
045-314-019	11260 AVION RD	SFR	1.00	2,235.20	320.00
045-314-020	11250 AVION RD	SFR	1.00	2,235.20	320.00
045-314-021	11240 AVION RD	SFR	1.00	2,235.20	320.00
045-314-022	11230 AVION RD	SFR	1.00	2,235.20	320.00
045-314-023	11210 AVION RD	SFR	1.00	2,235.20	320.00
045-314-024	11200 AVION RD	SFR	1.00	2,235.20	320.00
045-314-025	11205 AVION RD	SFR	1.00	2,235.20	320.00
045-314-026	11215 AVION RD	SFR	1.00	2,235.20	320.00
045-314-027	11225 AVION RD	SFR	1.00	2,235.20	320.00
045-314-028	11235 AVION RD	SFR	1.00	2,235.20	320.00
045-314-029	11245 AVION RD	SFR	1.00	2,235.20	320.00
045-314-030	11255 AVION RD	SFR	1.00	2,235.20	320.00
045-314-031	11275 AVION RD	SFR	1.00	2,235.20	320.00
045-314-032	11285 AVION RD	SFR	1.00	2,235.20	320.00
045-314-033	11295 AVION RD	SFR	1.00	2,235.20	320.00
045-315-001	11210 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-002	11190 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-003	11180 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-004	11170 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-005	11160 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-006	11150 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-007	11140 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-008	11130 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-009	11120 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-010	11105 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-011	11115 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-012	11125 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-013	11100 AVION RD	SFR	1.00	2,235.20	320.00

Slight variances may occur due to rounding

**City of Atascadero**  
**Landscaping & Lighting Maint Dist No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-315-014	11165 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-015	11185 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-016	11195 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-017	11205 ELIANO ST	SFR	1.00	2,235.20	320.00
045-315-018	11180 AVION RD	SFR	1.00	2,235.20	320.00
045-315-019	11170 AVION RD	SFR	1.00	2,235.20	320.00
045-315-020	11160 AVION RD	SFR	1.00	2,235.20	320.00
045-315-021	11150 AVION RD	SFR	1.00	2,235.20	320.00
045-315-022	11130 AVION RD	SFR	1.00	2,235.20	320.00
045-315-023	11110 AVION RD	SFR	1.00	2,235.20	320.00
045-315-024	11105 AVION RD	SFR	1.00	2,235.20	320.00
045-315-025	11115 AVION RD	SFR	1.00	2,235.20	320.00
045-315-026	11125 AVION RD	SFR	1.00	2,235.20	320.00
045-315-027	11135 AVION RD	SFR	1.00	2,235.20	320.00
045-315-028	11145 AVION RD	SFR	1.00	2,235.20	320.00
045-315-029	11155 AVION RD	SFR	1.00	2,235.20	320.00
045-315-030	11165 AVION RD	SFR	1.00	2,235.20	320.00
045-315-031	11175 AVION RD	SFR	1.00	2,235.20	320.00
045-315-032	11185 AVION RD	SFR	1.00	2,235.20	320.00
045-315-033	11195 AVION RD	SFR	1.00	2,235.20	320.00
045-316-041	9350 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-042	9352 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-043	9354 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-044	9356 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-045	9358 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-046	9360 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-047	9362 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-048	9364 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-049	9366 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-050	9368 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-051	9369 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-052	9367 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-053	9374 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-054	9363 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-055	9361 RIBERENA CIR	CON	0.75	1,676.40	240.00
045-316-056	9355 RANADA CIR	CON	0.75	1,676.40	240.00
045-316-057	9357 RANADA CIR	CON	0.75	1,676.40	240.00
045-316-058	9359 RANADA CIR	CON	0.75	1,676.40	240.00
045-316-059	9361 RANADA CIR	CON	0.75	1,676.40	240.00
045-316-060	9363 RANADA CIR	CON	0.75	1,676.40	240.00
045-316-061	9371 CADENCIA CT	CON	0.75	1,676.40	240.00
045-316-062	9373 CADENCIA CT	CON	0.75	1,676.40	240.00

Slight variances may occur due to rounding

**City of Atascadero**  
**Landscaping & Lighting Maint Dist No. 2**  
**Final Billing Detail Report for Fiscal Year 2023/24**

APN	Address	Land Use	Benefit Units	Max Assessment	Levy Amount
045-316-063	9375 CADENCIA CT	CON	0.75	1,676.40	240.00
045-316-064	9377 CADENCIA CT	CON	0.75	1,676.40	240.00
045-316-065	9379 CADENCIA CT	CON	0.75	1,676.40	240.00
045-316-066	9381 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-067	9383 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-068	9385 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-069	9387 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-070	9389 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-071	9388 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-072	9386 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-073	9384 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-074	9382 CIELO AZUL CT	CON	0.75	1,676.40	240.00
045-316-075	9380 CIELO AZUL CT	CON	0.75	1,676.40	240.00
<b>181 Accounts</b>			<b>231.75</b>	<b>518,008.60</b>	<b>74,160.00</b>
<b>181 Total Accounts</b>			<b>231.75</b>	<b>518,008.60</b>	<b>\$74,160.00</b>



# ***Atascadero City Council***

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## ***Staff Report – Fire & Emergency Services***

### **Weed Abatement – Hearing of Objections**

#### **RECOMMENDATIONS:**

Council:

1. Hear all objections to the proposed removal of vegetative growth and/or refuse and allow or overrule any objections; and
2. Authorize the Fire Chief to proceed and perform the work of abatement.

#### **DISCUSSION:**

The Atascadero Municipal Code, Section 6-13.03, addresses the abatement of vegetative growth and/or refuse, which constitute a hazard. The Fire Department conducted its initial inspection during the middle of March. There are approximately 11,169 parcels within the City.

Compliance with the Weed Abatement Section of our Municipal Code is a critical component of our Fuel Management Plan. The City of Atascadero does not want to be in the mowing business. The intent of this program is to encourage citizens to independently manage the weeds on their properties. An efficient Fuel Management Program helps the City keep wildland fires at a minimum and staffing down.

The City recovers costs for administering this program through recovery of the contractor cost of abatement, plus a flat fee of \$267 plus a percentage charge of 166% administrative fee, which is placed on the San Luis Obispo County Special Tax Assessment for the fiscal year 2023-2024 Tax Roll. This fee structure is intended to cover 100% of the cost of the weed abatement program, ensuring that compliant property owners/taxpayers do not subsidize the cost of the program.

As part of the abatement process, the City Council is required to hear objections to the proposed removal of vegetative growth and/or refuse. This hearing allows any affected property owner to object to the proposed abatement of hazards on their property.

**FISCAL IMPACT:**

None. Costs of the weed abatement program are recovered through the assessments charged to non-compliant parcels that must be abated by the City Contractor. Those property owners who comply with the Municipal Code are not assessed or charged.

**ALTERNATIVES:**

No alternative is recommended.

**ATTACHMENTS:**

None.



# ***Atascadero City Council***

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## ***Staff Report - City Manager***

### **Appointment of James R. Lewis as City Manager**

#### **RECOMMENDATION:**

City Council approve the Employment Agreement for James R. Lewis to serve as City Manager for the City of Atascadero.

#### **DISCUSSION:**

The City Manager reports directly to the City Council and is responsible for managing the operation of City Departments, assisting the City Council in carrying out their role as representatives of the citizens of Atascadero, administering operational activities and supervising the City's management team. Current City Manager Rachelle Rickard is retiring on July 12, 2023 and it is the City Council's responsibility to appoint a replacement City Manager.

The City Council has weighed their options for replacement of Rickard, interviewing long-time Atascadero resident James R. Lewis (Jim) and finding him to be an excellent candidate to replace Rickard.

Mr. Lewis has served as the City Manager for the City of Pismo Beach since February 2013 and served as the City of Atascadero Assistant City Manager from 2004-2013. Mr. Lewis is a knowledgeable, experienced, dynamic leader who cares deeply about Atascadero. He is active in his profession and has served as the president of the Cal Cities City Manager Department, and as a trustee on the California City Management Foundation. During his tenure as City Manager in Pismo Beach, Mr. Lewis oversaw a major transformation of Pismo Beach, investing \$75 million in capital projects such as a new pier, the downtown plaza, and the Shell Beach streetscape project. While employed with the City of Atascadero, in addition to other duties, Mr. Lewis was a driving force behind many economic development projects, downtown stimulus initiatives, and redevelopment activities. A brief resume, highlighting just a few of Mr. Lewis' duties, responsibilities, accomplishments and awards is included as an attachment to this report.

A City Manager Employment Agreement has been prepared for James R. Lewis for Council consideration. Mr. Lewis would begin working for the City on July 1, 2023, which would allow a short period of transition prior to Ms. Rickard's retirement on July 12, 2023. The Draft Employment Agreement for James R. Lewis is attached and a brief summary of the agreement follows:

1. The term of the Agreement provides that the service of James R. Lewis as City Manager be for eight years and will commence on July 1, 2023.
2. Duties of the City Manager will be as set forth in the Atascadero Municipal Code.
3. Salary will be \$21,916.67 per month. There will be automatic longevity increases of 5% on 7/1/2026 and 7/1/2029.
4. The City Manager serves at the will of the City Council and may be terminated at any time with or without cause. If the City Manager is terminated without cause, then the City Manager is entitled to a Severance Payment equal to twelve months salary.

### **FISCAL IMPACT:**

The monthly salary for James R. Lewis will be \$21,916.67 plus benefits, paid from budgeted general funds.

### **ALTERNATIVES:**

1. Council may appoint an interim City Manager while the City engages in a recruitment process to find a new City Manager to be recommended to the Council for appointment. The recruitment can be conducted by an outside recruiting firm or by City staff. The interim City Manager can either be a current City employee or someone not currently employed by the City.

### **ATTACHMENTS:**

1. Employment Agreement for James R. Lewis, City Manager
2. Resume for James R. Lewis

**EMPLOYMENT AGREEMENT FOR**

**James R. Lewis**

**CITY MANAGER**

**CITY OF ATASCADERO**

**AS OF MAY 9, 2023**



## **EMPLOYMENT AGREEMENT**

**THIS EMPLOYMENT AGREEMENT** ("Agreement") is made and entered into and effective on May 9, 2023, by and between the City of Atascadero (hereinafter called "City") and James R. Lewis (hereinafter called "City Manager").

### **RECITALS**

**WHEREAS**, the City desires to employ the services of James R. Lewis, as City Manager of the City of Atascadero, and

**WHEREAS**, the City desires to provide certain benefits, establish certain conditions of employment, and to set working conditions of said City Manager, and

**WHEREAS**, the City desires to (1) retain the services of City Manager and to provide inducement for him to remain in such employment, and (2) to make possible full work productivity by assuring City Manager's morale and peace of mind with respect to future security; and provide an equitable means of terminating his services, and

**WHEREAS**, City Manager desires to be employed as the City Manager of the City of Atascadero

**NOW, THEREFORE**, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

### **AGREEMENT**

#### **SECTION 1. TERM**

The City hereby employs City Manager for a term of eight (8) years commencing July 1, 2023 ("Commencement Date") at 12:00 pm, and continuing through the end of business on June 30, 2031 or until terminated pursuant to Section 4 of this Agreement ("Term"). The Anniversary Date shall be July 1 of each year.

#### **SECTION 2. DUTIES**

The City agrees to employ City Manager as City Manager of the City to perform the functions and duties as currently in effect, as set forth in Chapter 4 of the Atascadero Municipal Code, or as hereafter may be established by ordinance, resolution or action of the City Council. The City Manager's schedule of work each day and week shall vary in accordance with the work required to be performed. It is recognized that the City Manager must devote a great deal of his time outside normal office hours to the business of the City and to that end, will be allowed to take time off during normal office hours. The City Manager is a full-time, FLSA exempt, employee.

### **SECTION 3. COMPENSATION**

The City agrees to compensate City Manager for his services as City Manager by payment of salary in a manner consistent with other City employees. City Manager's monthly salary as of the Commencement Date of this Agreement shall be \$21,916. City Manager shall receive automatic longevity increases of 5% in salary in year 2026 and 2029 on his anniversary date. The City Manager shall be entitled to all COLA increases afforded to other non-represented management employees. The City Council may also, from time-to-time, by resolution, adjust City Manager's salary.

### **SECTION 4. TERMINATION**

City Manager shall serve at the will and pleasure of the City Council and may be removed from office (terminated) at any time with or without cause upon affirmative vote of at least three (3) members of the City Council convened in a regular Council meeting. Nothing in this Agreement shall prevent the City Council from terminating this Agreement and the services of City Manager at its sole discretion.

1. Notice of Termination. In the event City Manager is terminated without cause by the City during the Term or any subsequent Extended Term of this Agreement, during which time the City Manager is willing and able to perform his duties under this Agreement, the City Council agrees to provide the City Manager with ninety (90) days written notice of termination. Any termination without cause shall be a termination of employment in good standing.
2. Severance Payment. In the event City Manager is terminated without cause, City Manager shall be entitled to a severance payment in the amount of twelve (12) months' base salary and continuation of all existing health benefits for twelve (12) months. If City Manager finds other employment that provides health benefits and he qualifies to begin receiving those health benefits, then the health benefits provided by the City shall terminate. The foregoing salary and health benefits shall be referred to collectively as "Severance Pay." Notwithstanding the above, in no event shall the total cash value of the Severance Pay exceed the value of eighteen months' base salary.
3. In addition to the Severance Payment, City Manager upon termination without cause shall also receive (1) the cash value of all vacation leave, (2) the cash value of unused administrative leave, (3) the cash value of one-half of the accrued sick leave balance and (4) cash value of unused floating holiday.
4. In exchange for the Severance Pay, the City Manager hereby expressly waives any right he may have under any applicable law, City policy, or otherwise to appeal or grieve his termination and the terms of this Agreement.
5. The above severance provisions are intended to comply with the provisions of Government Code section 53260, et seq. Any severance payment under this Agreement is also subject to the forfeiture or repayment provisions of Government Code section 53243, et seq.
6. Transition Waiting Period. During a period of one hundred and twenty (120) days immediately following the date of installation of any person elected to the Council at a regular or special City Election, or of any person newly appointed to the Council, the

Council shall take no action, whether immediate or prospective, to remove, suspend, request the resignation of, or to reduce the salary or benefits of the City Manager.

7. Termination for Cause. In the event that it is determined that City Manager has been terminated for cause, he shall not be entitled to any Severance Pay. Termination shall be for "cause" only if City Manager: (i) is convicted of a felony that adversely affects his reputation or the reputation of the City; (ii) engages in uncorrected drug or alcohol abuse; (iii) has repeated and protracted unapproved absences; or (iv) engages in the willful or insubordinate refusal to carry out a lawful directive of the City Council, provided that such directive was made in an open session meeting of the City Council and repeated in at least one subsequent open session meeting. If City Manager is terminated with cause, then City Manager shall receive upon termination (1) the cash value of all vacation leave, (2) the cash value of unused administrative leave and (3) cash value of unused floating holiday. In the event the City Manager is terminated with cause, then the City Manager shall not be entitled to receive upon termination any payment for accrued sick leave.
8. In the event that City Manager is convicted of a crime involving an abuse of his office or position, as defined in California Government Code section 53243.4, City Manager shall be required to fully reimburse the City in accordance with California Government Code sections 53243, 53243.1, 53243.2 and/or 53243.3.
9. Upon conviction of a covered felony under Government Code section 7522.72 or 7522.74, City Manager may forfeit benefits in accordance with those sections.
10. If City, citizens or the State Legislature acts to amend any provisions of the municipal code pertaining to the role, powers, duties, authority, or responsibilities of the City Manager's position that substantially changes the form of government, the City Manager shall have the right to declare that such amendments constitute termination without cause.
11. If the City reduces the base salary, compensation, or any other financial benefit of the City Manager without his consent in a percentage greater than the average reduction to all department heads, City Manager shall have the right to declare that such reduction constitutes termination without cause.
12. If the City Manager resigns following an offer by City to accept resignation, or following a suggestion by City to resign, whether formal or informal, then the City Manager shall have the right to declare such resignation a termination without cause under this agreement.

## **SECTION 5. RESIGNATION**

1. City Manager may resign at any time with one hundred and twenty (120) days written notice.
2. Resignation Resulting from City Breach of Agreement. If the City Manager resigns over a material and uncorrected breach of this Agreement by the City, City Manager shall be entitled to Severance Pay and (1) the cash value of all vacation leave, (2) the cash value of unused administrative leave, (3) the cash value of one-half of the accrued sick leave balance and (4) cash value of unused floating holiday. In such event, City Manager shall first notify the City in writing of his intention to resign within 30 calendar days of when she either knew or should have known with reasonable diligence of the acts or omissions underlying his potential resignation. City Manager shall be entitled to Severance Pay only

if the City fails to correct said act or omission within 30 calendar days of its receipt of said notice and if City Manager subsequently follows through with his resignation. City Manager shall also be entitled to Severance Pay if the City Manager resigns as a result of a request to resign by a majority of the City Council. Any Severance Pay paid to City Manager under this Section shall be subject to all limitations on the payment of Severance Pay set forth above.

3. Other Resignations. In the event City Manager resigns for any reason other than those set forth in the Resignation Resulting from City Breach of Agreement provision, he shall not be entitled to any Severance Pay.

## **SECTION 6. COUNCIL COMMITMENTS**

1. City Council commits to participate in a duly noticed team building/strategic planning workshop annually based upon the City's ability to fund.
2. City Council agrees, in concept, to an annual Executive Team strategic planning workshop/retreat. The details and costs of such a workshop will be handled in each annual budget.
3. City Council agrees, in concept, to an annual, one day, all employee training and development conference focused on culture and service. The details and costs of such a conference will be handled in each annual budget.
4. City Council commits to an appropriate employee incentive program, to be administered by City Manager. Annually, funds shall be included in the budget to be used as employee incentives at the direction of the City Manager.

## **SECTION 7. OUTSIDE ACTIVITIES**

Upon prior approval of the City Council, City Manager may undertake outside professional activities for compensation, as agreed to by the parties, which may include consulting, teaching, training, speaking, and writing, of up to 10 hours per month, provided they do not otherwise interfere with City Manager's normal duties and are done only during non-business hours, personal leave, or holiday time and are not done with any existing vendors or contractors of the City. Under no circumstances shall any outside activities, whether or not for compensation, create a conflict of interest with the duties of the City Manager and the interests of the City.

## **SECTION 8. BENEFITS**

1. In addition to the compensation set forth in Section 2 of this Agreement, City Manager shall be entitled to receive the same benefits as are accorded all other Executive City management employees except as herein provided. City Manager shall be entitled to the following benefits:
  - a. City Council shall engage in a review of the City Manager's performance annually. City Council and City Manager shall define such goals and performance objectives which they determine necessary for the proper operation of the City in the attainment of the City Council's policy objectives, and the City Council and City Manager shall further establish a relative priority among those various goals and objectives reduced to writing. These goals and objectives shall be obtainable generally within the time limits as specified in the operating and capital budgets and appropriations provided.

- b. In addition to benefits described herein, City Manager shall be entitled to the same benefits granted to Executive Management Positions, as set forth in the Compensation Plan provided by the City's Personnel Rules and City Council Resolution No. 2021-067, which may be repealed, replaced or amended by the City Council. As used herein, benefits include, but are not limited to, vacation, sick leave, stay well bonus, sick leave payback, personal leave, bereavement leave, administrative leave [administrative leave to be taken at City Manager's sole discretion], holiday pay, retirement (PERS) benefits and payments, health insurance, dental insurance, vision insurance, life insurance, Post-Retirement Health Benefit for Executive Management, long-term disability and education incentive pay. Accrual shall be at rates afforded other Executive Management Employees. Instead of any life insurance benefits provided to Executive Management, City Manager shall receive additional term-life insurance with a death benefit of two times the annual salary of City Manager.
- c. At City Manager's sole discretion, he may participate in the long-term disability program afforded other Executive Management Employees in the most current Resolution governing compensation and benefits for Executive Management employees, or he may elect to receive a reimbursement of up to \$7,000 per year for City Manager personal long term disability policy.
- d. In accordance with PERS regulations and Resolution 2021-067, City Manager shall be enrolled as a Tier 1 Non-Sworn Miscellaneous Employee. City manager was formerly employed by the City from 10/11/2004 through 2/19/2013. Non-sworn Miscellaneous Member employees hired on or before July 14, 2012 are provided benefits pursuant to the 2.5% @ 55 Benefit Formula (Government Code Section 21354.4), Final Compensation 1 Year (G.C. Section 20042) and Unused Sick Leave Credit (G.C. Section 20965). The City will pay 3.3% (three point three percent) of the Non-sworn Miscellaneous Member employee contribution of 8% (eight percent). Non-sworn Miscellaneous Member employees will pay the remaining 4.7% (four point seven percent) of the employee contribution. Contribution amounts may be changed from time to time by City Council Resolution.
- e. City Manager must take a vacation for at least two consecutive weeks every calendar year and the balance of his vacation days may be taken by City Manager on days of his choice.
- f. City Manager shall accrue vacation at a rate of 24 days per year, or 7.385 hours per pay period. Any accrual of leaves of absence shall be subject to any rules set forth for other executive management employees, which shall include, but is not limited to, limitations on leave accrual. In addition to the 80 hours of administrative leave provided by Resolution 2021-067, on the Commencement Date of this Agreement, 80 hours of vacation leave and 160 hours of sick leave shall immediately accrue to City Manager.
- g. The Sick Leave Payback provides that management and confidential employees shall be paid for one-half of his accumulated Sick Leave when the employee terminates employment in "good standing" after 5 years of continuous service. Termination of the City Manager without cause will be considered terminating employment in "good standing".

- h. City will budget for and pay the travel and subsistence expenses of the City Manager for official travel, meetings, professional development of the City Manager and necessary official and other functions for the City, including, but not limited to, national, regional, state, and local conferences, governmental groups, and committees. City will budget and pay for necessary professional dues and subscriptions to organizations. This includes, but is not limited to, ICMA, Cal Cities and CCMF. City shall reimburse City Manager for any expenses incurred under this section 8h in accordance with the City's standard purchasing policies.
- i. City shall pay for City Manager's membership in, and for all fundraising "fines" as may be assessed by a civic organization, local service club dues and other costs associated with City Manager's involvement in civic organizations, as requested by the City Council.
- j. City Manager shall receive three hundred dollars (\$300.00) each month as an automobile allowance. The allowance is in exchange for (1) City Manager making available for his own use a personal automobile, and (2) for his use of his personal automobile for City related business and/or functions during, before and after normal work hours. City Manager is not precluded from using City vehicles for City business during before, and after the normal workday. A City vehicle will not be provided to City Manager for his exclusive use and no City vehicle shall be utilized by City Manager for commuting purposes. City Manager will be entitled to mileage reimbursement at standard rates for trips outside of San Luis Obispo County.

#### **SECTION 9. DEFERRED COMPENSATION**

- 1. City Manager shall not receive any deferred compensation benefits set forth in City Council Resolution No. 2021-067. This section 9 solely provides all deferred compensation benefits to be provided to City Manager.
- 2. City agrees to contribute the maximum sum allowed by law into City Manager's 457 deferred compensation account with one of the City's providers including any pre-retirement incentives. This maximum amount shall not include any Special 457(b) "last 3-year catch-up" deferrals. Such contribution shall be pro-rated equally and shall be paid per City practice across 24 pay-periods.

#### **SECTION 10. GENERAL PROVISIONS**

- 1. This Agreement shall constitute the entire Agreement between the parties.
- 2. This Agreement shall be binding upon and inure to the benefit of the heirs, executors, administrators, personal representatives, successors and assigns of City Manager.
- 3. In accordance with California Government Code section 53262, this Agreement shall become effective upon the City Council's ratification in an open session, with the minutes of the session reflecting such ratification.
- 4. This contract may be modified only in a writing ratified by the City Council in open session and signed by all the parties.
- 5. The failure of any party to enforce against another party any provision of this Agreement shall not constitute a waiver of that party's right to enforce such a provision at a later time, and shall not serve to vary the terms of this Agreement.

6. In the event any portion of this Agreement is declared void, such portion shall be severed from this Agreement and the remaining provisions shall remain in effect, unless the result of such severance would be to substantially alter this Agreement or the obligations of the parties, in which case this Agreement shall be immediately terminated.

**IN WITNESS WHEREOF**, the above parties have executed this Agreement as of the date first written above.

**CITY OF ATASCADERO**

BY: \_\_\_\_\_  
Heather Moreno, Mayor

\_\_\_\_\_  
James R. Lewis, City Manager

**ATTEST**

BY: \_\_\_\_\_  
Lara Christensen, City Clerk

DRAFT

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## James R. Lewis, ICMA-CM

### PROFESSIONAL EXPERIENCE

#### City Manager

*City of Pismo Beach, CA*

**February 2013 through Current**

- Serve as the city's Chief Executive Officer, working closely with the City Council, department heads, and other community leaders to achieve Council goals, enhance the community's quality of life, and deliver the most efficient and cost-effective municipal services possible.
- Oversee the operations, budget (\$33 million GF, \$76 million total), personnel (99 FTE, 60 PT) and service delivery for the premier tourism destination in the Central Coast with nearly 3,000 lodging units. Operate consistently and purposefully with a large annual surplus. Manage a full-service city with police, water, wastewater, engineering, community development, recreation, and a conference and visitors bureau.
- Oversaw a complete modernization, beautification, and transformation of the City having invested over \$75 million to date including the largest capital projects in the history of the City; a new pier, downtown plaza, 2 mile streetscape, paving and major utility upgrades.
- Built an empowered, collaborative, entrepreneurial, and team-oriented organization focused on providing legendary customer service through our "Cuz We're Pismo" culture.

#### Assistant City Manager/President of the Office of Economic Development

*City of Atascadero, CA*

**October 2004 through February 2013**

- Served as the city's Chief Operating Officer, working closely between the city manager and department heads. Served as a consultant to the executive team. Was responsible for ensuring that the city council's goals and projects were completed.
- Served as the president of the Office of Economic Development, directing all economic development activities, business retention and recruitment efforts, incentives, stimulus programs, major retail development projects (hotels, theater, downtown) and marketing.
- Served as the city's personnel officer, directing all human resource functions including recruitment, training, team development, compensation, labor relations, and discipline. Was responsible for monitoring, maintaining, and investing in employee morale.
- Served as the City's Chief Information Officer directing all information technology efforts.
- Ensured the departments were operating effectively and provided excellent customer service.
- Managed a variety of complex and special projects including construction of a 19,000 s.f. community center and negotiating major agreements with other agencies.
- Served as Acting City Manager regularly and as the key advisor to the City Manager.

#### Assistant to the City Manager

*City of Claremont, CA*

**April 2001 through October 2004**

- Served as project manager on several high-level, politically sensitive projects including negotiating major hillside/open space acquisitions (125 acres) and light rail system construction. Acquired \$2,500,000 for hillside acquisition and \$6,000,000 for parking structure/transit center from other agencies.
- Served as the city's budget officer coordinating, preparing, and implementing the city's \$42 million capital and operating budget.
- Served as the city's Intergovernmental Affairs Officer, working with several local, state and federal agencies and the League of Cities on funding projects and priorities.
- Aided departments and city commissions regarding city projects in a "chief of staff" role and implemented council and administrative policies.



## Senior Management Analyst/Management Analyst

City of Claremont, CA, Police and Community Services Department **July 1998 through April 2001**

- Coordinated and managed the process for the recruitment, training and management of the newly established Police Commission.
- Reviewed and revised major police department policies such as “use of force” and in-car video camera use. Assisted the chief with management and strategic planning.
- Managed the public transportation division, including the city’s dial-a-ride program, transit store, and train depot facility. Represented the city at regional transit agency/COG meetings.
- Managed all citywide emergency preparedness programs, planning and response.
- Performed detailed financial and management analysis, including fee and operations restructuring for the municipal cemetery, sanitation services, and sewer system.

## EDUCATION AND CREDENTIALS

**Maxwell School of Citizenship and Public Affairs, Syracuse University**, Syracuse, New York; June 1998  
Master of Public Administration, *Public Finance and State and Local Government Management*

*Completed coursework in public finance, market instruments, budgeting, economics, cost and fund accounting, cash flow management, personnel management, strategic management, intergovernmental relations, forecasting and statistical analysis.*

**School of Public Administration, University of Southern California**, Los Angeles, California; May 1997  
Bachelor of Science, *Public Policy and Management*, Cum Laude with Departmental Honors, designated classes’ top student by the faculty as the Emory E. Olson award recipient.

**Credentialed Manager, International City and County Management Association (ICMA-CM)**

## PROFESSIONAL ASSOCIATIONS

- League of California Cities (Cal Cities)
  - Board Member (served as chair of the Nominating Committee and member of Finance Committee and Governance Committee; 2019-current
  - Strategic Planning Committee; 2017-18
  - City Manager’s Department, President; 2017
- California City Management Foundation (CCMF), Trustee; Current and 2016-17
- Central Coast Community Energy (3CE), Operations Board Member; Current
- International City/County Management Association (ICMA)
  - California ICMA Committee on the Profession and Ethics Committee Member; 2008-2018
  - ICMA Committee on Graduate and Professional Education Committee Member; 2013-2017
  - ICMA Editorial Advisory Board Committee Member, ICMA Press; 2006-2013
- Municipal Management Association of Southern California, President; 2001-02

## AWARDS

- President’s Award, Municipal Information Systems Association of California (2022)
- Cal Cities Helen Putnam Award for Excellence in Public Works, Infrastructure and Transportation, Shell Beach Streetscape Project (Pismo Beach) (2022)
- Overall Winner, Cal Cities/California Association of Counties Outstanding Local Road Project of the Year; Shell Beach Streetscape Project (Pismo Beach) (2022)

- Cal Cities Helen Putnam Award for Excellence in Intergovernmental Collaboration, Central Coast Blue Recycled Water Project (Pismo Beach) (2021)
- Smart 50 Smartest Cities Award, Smart Cities Connect (Pismo Beach) (2020)
- Cal-ICMA Talent Champion Award for Employee Culture (2020)
- CJPIA Risk Management Award for Best Overall Performance of Members (Pismo Beach) (2019)
- National Eagle Scout Association, Outstanding Eagle Scout Award (2017)
- ICMA Strategic Governance and Leadership Program Excellence Award; *Building an Employee Culture of Excellence, Service and Pride* (2016)
- President's Award, Municipal Management Association of Southern California (2016)
- Outstanding Service to the Profession Award, California City Management Foundation (2013)
- President's Award, USC Alumni Association (2012)
- Named Top 20 people under 40 years of age by the SLO County regional newspaper, *The Tribune* (2004)
- International City/County Management Association Edwin O. Stene National Scholarship Recipient (1998)
- New York State Government Finance Officers Association Scholar (1998)
- Harry S. Truman Scholar, State of California (1996)
- National Distinguished Service Award, Order of the Arrow, Boy Scouts of America (1996)
- Eagle Scout, Boy Scouts of America (1990)

## PUBLICATIONS

- *"Effective Supervisory Practices", Chapter 16: Customer Service and Public Engagement, ICMA Press, June 2013, June 2016, June 2020*
- *"Leading Your Community, A Guide for Local Elected Leaders, ICMA Press, 2008 (Edited and Reviewed)*
- *"Building a Workplace that Recognizes Generational Diversity", Cover Story, Public Management Magazine, International City and County Management Association, April 2004*

## PRESENTATIONS

- *"Getting Your Point Across to Elected Boards the First Time", Municipal Information Systems Association of California Annual Conference, October 2022*
- *"Defending Institutions: Promoting Civic Debate and Rejecting Personal Attacks", League of California Cities Annual Conference, September 2022*
- *"Make Your City Attorney Your Best Friend", League of California Cities City Manager's Department, February 2022*
- *"The Ideal Relationship Between the City Manager and Council Members", League of California Cities New Council Members Academy, February 2021*
- *"From Vision to Reality: Lessons Learned in Complete Street Implementation", League of California Cities Annual Conference, September 2020*
- *"Smart Cities: How Can You Be One?", League of California Cities Annual Conference, September 2019*
- *"Smart Cities: Is Your City Smart Enough?" League of California Cities City Manager's Department Meeting, February 2019*
- *"Attracting Millennials to Your Local Government", ICMA National Webinar, 2016, 2017, 2018*
- *"Effective Supervisory Practices: Accountability and Quality Customer Service"; ICMA National Webinar, March 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022*
- *"Managing Change and Expectations in Information Technology", Municipal Information Systems Association of California Annual Conference, October 2017*

- *“Getting the Most Out of Your IT Investment”, League of California Cities Annual Conference, 2017, 2018, 2019*
- *“Changing of the Guard: Is Your Organization Prepared?”; League of California Cities City Manager’s Department Annual Meeting, February 2015*
- *“You’ve Hired a Gen X City Manager, Now What !?!”; League of California Cities Annual Meeting, September 2014*
- *“Marketing and Branding Yourself to Your Community”; ICMA Young Leaders Professional Institute, April 2014*
- *“Developing Your Personal Style and Making it Work For You”; Municipal Management Association of Southern California Annual Conference, November 2013*
- *“Senior Assistants: How to Manage the Future of Our Cities”; League of California Cities City Manager’s Department Annual Meeting, February 2013*
- *“Ask Not What Your Manager Can Do For You, But What You Can Do For Your Manager”; ICMA Annual Conference, October 2012*
- *“Attracting, Recruiting and Retaining the Next Generation of Public Sector Professionals”, League of California Cities City Manager’s Department Annual Meeting, February 2005*

## ACTIVITIES

- Chairman and Founder, Roads Education Organization, operator of Pivot Charter Schools of California  
*Public, free, supportive charter school with over 800 disadvantaged/troubled students at four sites*
- Active Member, Rotary Club of Pismo Beach/Five Cities
- Active Member and Past Board Member, Atascadero Kiwanis Club; Past President, Claremont Kiwanis Club
- Deacon, Atascadero Bible Church
- Atascadero Elks B.P.O.E.
- University of Southern California Alumni Association Board Member and Executive Committee Member (2004-13)
- Past Chairman, Athenian Society/Leadership Council, University of Southern California Sol Price School of Policy (2011-14)
- Past Vice President and Chair of Eagle Scout Association, Los Padres Council, Boy Scouts of America (2006-10)

## PERSONAL

Married to wife, Debi, for 20 years with daughter, Gracie and son, Troy. Enjoy time with family, reading, jazz, wine making, travel, golf, cooking.



# ***Atascadero City Council***

## ***Staff Report – Community Development Department***

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### **General Plan Update Project (GPA21-0067)**

#### **RECOMMENDATION:**

Council provide direction to staff on the draft General Plan Vision and Guiding Principles.

#### **DISCUSSION:**

The City began the General Plan Update process in July of 2021. Phase 1 included scoping for the General Plan and development of a community outreach strategy. Since August 2022, the project team has been working on Phase 2 of the process: Discovery and Visioning, which included a range of community engagement meetings and activities to hear early feedback on the City's assets, challenges, and opportunities. Parallel to the engagement process, the project team prepared an Existing Conditions Atlas report that summarized key findings based on a technical review and analysis of City documents and data, the full version of which will be compiled and presented in an existing conditions report (currently under production). The consultant team also attended the City Council Strategic Planning session to gather further input on the City's near-term and long-term vision. On March 21, 2023, the Planning Commission received an update on this process and provided general comments.

This combined feedback and input resulted in draft General Plan Vision and Guiding Principles (Attachment 1), which are an important early milestone in the General Plan Update project. The Vision and Guiding Principles are a component of the updated General Plan and express the community's desired future while also providing a decision-making lens for new projects, programs, and activities. The vision and guiding principles will inform policies and programs as alternatives are explored and the General Plan begins to take form. Staff is seeking discussion and direction on the draft Vision and Guiding Principles.

#### **Analysis:**

Based on Council, Planning Commission, and community feedback, the consultant team worked with staff to prepare draft General Plan Vision and Guiding Principles that outline and begin to address, at a high level, community features and future focus for the next 20-years and beyond. The vision statement provides an overarching context for the long-term vision while the guiding principles provide a lens to inform future decision making and develop policies and programs to achieve these broad goals.

### **General Plan Vision:**

The General Plan Vision Statement builds on the Atascadero Mission Statement, True North Statements, and Strategic Priorities. The Vision Statement also reflects ideas, thoughts, and desires from residents, local business and property owners, community groups, elected and appointed officials, and other members of the Atascadero community. The statement expresses the community's desires for Atascadero's future and describes the community's overall philosophy. Ultimately, all goals, policies, strategies, and actions contained in the new General Plan must be consistent with this Vision Statement.

#### ***Vision Statement: Authentic Atascadero***

*Atascadero is a well-balanced and complete city, with a blend of urban and rural character that promotes a range of lifestyles and business opportunities, supported by a strong and active downtown and community-focused culture serving current and future generations. Atascadero is safe, resilient, friendly, supportive, healthy, connected, accessible, and inclusive for all residents, workers, and visitors, with places and opportunities for people of all interests to interact, recreate, innovate, collaborate, and thrive.*

### **General Plan Guiding Principles:**

The City's existing General Plan was developed around a framework that was titled "Smart Growth Principles" (Attachment 2). Those principles formed the vision for the General Plan at that time. In a similar fashion, the future General Plan will be based upon a set of guiding principles. The General Plan Guiding Principles detail Atascadero's vision for the future, fully articulating the ideas expressed in the Vision Statement. The Guiding Principles are rooted in community voices heard during initial engagement activities and Council's strategic planning initiatives. They will both guide crafting of the new General Plan and, post-General Plan adoption, will provide a decision-making lens for City officials, staff, and decision-makers. They are organized around broad General Plan topics that will be chapters (or elements) in the new document, as listed below:

- Community character and Form
- Economic Development and Fiscal Health
- Mobility and Circulation
- Public Services and Infrastructure
- Safety and Resiliency
- Parks and Recreation
- Conservation and Open Space
- Community Health and Engagement

*For the draft Vision and Guiding Principles document, please see Attachment 1.*

### **Next Steps:**

City staff and the consultants are continuing to refine the ***Existing Conditions*** analysis. After existing conditions are compiled and published, Phase 3 of the process will begin. Phase 3 is perhaps the most significant phase where we will be gathering input from

decision makers and the community to develop alternatives, concepts, and a policy framework to that will form the General Plan document.

We expect the draft Existing Conditions reports to be available for review mid-summer with outreach for Phase 3 beginning mid- to late-summer. The current schedule anticipates Council and community review of draft alternatives in October 2023 and, once the preferred alternative is chosen, environmental analysis and preparation of the General Plan EIR with final adoption slated for early to mid-2024.

**Conclusion:**

Staff is seeking input and direction from the Council on the draft Vision and Guiding Principles to ensure it fully meets the long-term vision, needs, opportunities, and desires of Atascadero. The input gathered tonight will be used to finalize the Vision and Guiding Principles and refine the alternatives process.

**FISCAL IMPACT:**

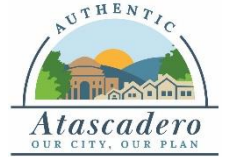
None at this stage of the development of the General Plan vision statement

**ALTERNATIVES:**

Council may direct staff to modify draft materials or the General Plan alternatives process. Council should keep in mind that substantial changes to the process at this juncture may impact the budget and timeframe or cost of the project.

**ATTACHMENTS:**

1. General Plan Update Draft Vision and Guiding Principles
2. 2002 General Plan Introduction and “Smart Growth Principles”



# General Plan Update

## Vision and Guiding Principles

City of Atascadero 2045 General Plan Update | April 20, 2023 | **DRAFT FOR CITY COUNCIL DISCUSSION**

### Atascadero Mission Statement

On February 10 and 11, 2023, the City Council held a strategic visioning workshop that was highly collaborative and participatory, involving all Council persons, City staff, and community members. This discussion produced a refined *Atascadero Mission Statement*, a series of *True North Statements*, and *Strategic Priorities* for the City to focus on in the coming years and beyond. While these concepts relate to all City internal and external operations, activities, and decisions, they also provide the foundational framework for the new General Plan. The General Plan, in turn, will translate these concepts into specific land use, mobility, economic, fiscal, environmental, safety, and community health goals, policies, and programs.

#### Atascadero Mission Statement

Working together to serve, build community, and enhance quality of life.

- Adopted by the Atascadero City Council on March 14, 2023

#### Atascadero True North Statements

- Atascadero maintains its true sense of community.
- Atascadero preserves its small town feel while it continues to grow.
- Atascadero continues to be a safe, family-friendly place to be.
- Atascadero developments are high quality endeavors that are attractive and create a sense of place.
- Atascadero's downtown is vibrant with shopping, dining and things to do for the entire family.
- Atascadero provides a balance of rural, traditional, and more urban neighborhoods – something for everyone.
- Atascadero has friendly, effective, fiscally responsible municipal services and infrastructure.
- Atascadero has an abundance of open space, trees, creeks, parks & recreational activities.
- Atascadero is a place where residents have the opportunity and ability to work.

- Atascadero is resident-centric, not tourist oriented.
- Atascadero is a place where everyone can live, work, learn, spend and play.
- Atascadero is welcoming to all.

- Adopted by the Atascadero City Council on March 14, 2023

### **Atascadero Strategic Priorities**

#### *Economic and Community Vibrancy*

- Downtown Vitality
- Activation of Underutilized Sites and Nodes
- Business Support and Jobs/Housing Balance
- Neighborhood Compatibility and Wellness

#### *Fiscal and Infrastructure Efficiency and Sustainability*

- Asset Management/Replacement/Modernization
- Financial Strategies
- Transparency and Accountability

#### *Ensuring Public Safety and Providing Exceptional City Services*

- Staff
- Unhoused Population
- Flourishing Community

- Adopted by the Atascadero City Council on March 14, 2023



## General Plan Vision Statement (draft)

The General Plan Vision Statement builds on the *Atascadero Mission Statement*, *True North Statements*, and *Strategic Priorities*. This Vision Statement also reflects ideas, thoughts, and desires from residents, local business and property owners, stakeholders, elected and appointed officials, and other members of the Atascadero community gathered during the General Plan Update process. This statement expresses the community's desires for Atascadero's future and describes the community's overall philosophy regarding the character of existing and new neighborhoods. Ultimately, all goals, policies, strategies, and actions contained in the new General Plan must be consistent with the Vision Statement.

### **Vision Statement: Authentic Atascadero**

Atascadero is a well-balanced and complete city, with a blend of urban and rural character that promotes a range of lifestyles and business opportunities, supported by a strong and active downtown and community-focused culture serving current and future generations. Atascadero is safe, resilient, friendly, supportive, healthy, connected, accessible, and inclusive for all residents, workers, and visitors, with places and opportunities for people of all interests to interact, recreate, innovate, collaborate, and thrive.

## General Plan Guiding Principles (draft)

The General Plan Guiding Principles detail Atascadero’s vision for the future, building on the City Council’s True North statements and fully articulating the ideas expressed in the Vision Statement. The Guiding Principles are rooted in community voices. They will both guide crafting of the new General Plan and post-General Plan adoption will provide a decision-making lens for City officials, staff, and decision-makers. They are organized around broad General Plan topics that will be chapters (or elements) in the new document.

### COMMUNITY CHARACTER AND FORM

#### *PROTECT THE CITY’S CHARACTER-DEFINING QUALITIES AS THE COMMUNITY EVOLVES*

- Maintain Atascadero’s character as a semi-rural community.
- Protect the unique character of established neighborhoods by prioritizing infill development that respects the Atascadero aesthetic.
- Focus commercial activity in a manner that creates business synergies, improves service capabilities, maximizes infrastructure investments, and takes advantage of transit.
- Provide a range of housing types and choices to ensure that people of all income-levels and ages can afford to live, work, and retire in Atascadero.
- Sustain a vibrant downtown core that supports diverse retail, service, dining, and entertainment options to meet the daily needs of businesses, residents, and visitors.
- Ensure that buildings, streetscapes, and public spaces within the more urban parts of the community are designed to create walkable neighborhoods and business districts.
- Strengthen El Camino Real by encouraging synergy and balancing commercial and residential uses that support long term viability of the corridor.
- Promote land uses that create new jobs, toward the overarching goal of achieving a better jobs/housing balance.
- Respect natural landforms, trees, water features, and habitats in the design and development of all projects.

## ECONOMIC DEVELOPMENT AND FISCAL HEALTH

### *SUPPORT LOCAL BUSINESS AND EMPLOYMENT GROWTH*

- Accommodate a mix of businesses that collectively work to maintain a stable tax base and revenue stream for the City.
- Encourage reinvestment in aging and underutilized properties.
- Attract businesses that support tourist interests in Atascadero.
- Support, incentivize, and attract employers that offer competitive, household-sustaining incomes in jobs that match evolving work force capabilities and education.
- Help people and businesses invest in Atascadero and the community through recruitment, partnerships, and incentives.
- Pursue strategies to grow employment and attract and sustain revenue-generating land uses.
- Prioritize City financial and operational decisions around the most pressing needs of the community.
- Ensure that existing and expanded public services, facilities, and infrastructure have a funding strategy and do not result in unfunded burdens for the City.
- Encourage programs that include child care and early education to support the local workforce.

## MOBILITY AND CIRCULATION

### *PRIORITIZE CIRCULATION FOR ALL MODES OF TRANSPORTATION*

- Support mobility improvements that prioritize safety and improve multi-modal circulation, for both recreation and necessity, including safe, convenient, and comfortable connections for all mobility modes across Highway 101 to link both sides of the city.
- Prioritize freeway overpass and on/off ramp improvements that increase safety, support a range of transportation modes, result in new and identifiable gateways to Atascadero, and support the City's economic development goals.
- Encourage development that provides jobs, services, and goods in close proximity to major housing areas
- Complete local and regional trail connections that support recreation and non-motorized circulation to major community destinations.
- Maintain the rural character of roads within lower-density neighborhoods

## PUBLIC SERVICES AND INFRASTRUCTURE

### *MAINTAIN AND ENHANCE EFFICIENT, COST-EFFECTIVE, AND SUSTAINABLE SYSTEMS*

- Maintain and develop new roads, storm drain network, and other infrastructure to high standards consistent with their purpose and classification.
- Prioritize efficient and cost-effective new sewer connections within urban areas.

- Support the development and provision of power supply and electricity alternatives.
- Improve technology infrastructure and the municipal network to provide high-speed communications and data transmission options from multiple providers.

## **SAFETY AND RESILIENCY**

### *PLAN AND PREPARE FOR COMMUNITY SAFETY*

- Recognize all natural hazards that affect the use of properties and emergency response capabilities, and minimize related impacts.
- Incorporate natural resource preservation goals into decisions and projects involving land use and infrastructure improvements.
- Understand all planning and preparedness considerations for the wildland-urban interface and associated fire risks and incorporate those considerations into land use and emergency preparedness decision-making.
- Ensure all neighborhoods and business districts are adequately served by police, fire, and emergency medical services.
- Support strategic emergency response planning efforts and the provision of facilities that improve effective and efficient essential services.
- Improve road connections and egress to support traffic safety and timely evacuation in the event of a disaster.
- Minimize adverse noise conditions near sensitive land uses and within natural open space areas.
- Maintain and enhance public safety through community and environmental designs that promote secure, active, and safe streets and neighborhoods.
- Recognize the cyclical nature of California’s drought cycles and create a community culture of water conservation as a standard practice.

## **PARKS AND RECREATION**

### *ENHANCE AND LEVERAGE OUR COMMUNITY SPACES*

- Provide a variety of recreation experiences at City parks, the zoo, local and regional open spaces, and public plazas throughout Atascadero.
- Encourage community connections to outdoor activities and nature that promote physical and mental health and wellbeing.
- Improve and expand City trails, parks, and open spaces to create additional opportunities for residents to exercise, spend time outdoors in the community, and enjoy nature.
- Provide outdoor recreation facilities, activities, and seasonal events that are inclusive of people of all ages.
- Program events and activities year-round that enhance community and celebrate Atascadero, highlight and promote local businesses, and support tourism.
- Maintain sustainable funding sources for parks and recreation facilities and programs.

## **CONSERVATION AND OPEN SPACE**

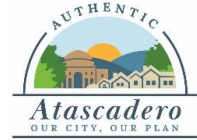
### *PROTECT AND CELEBRATE OUR NATURAL ENVIRONMENT*

- Preserve and enhance open spaces, natural resources, and environmentally sensitive areas.
- Preserve and protect important historic and cultural resources that serve as significant, visible reminders of the City's social and architectural history.
- Recognize and preserve Atascadero's west side as a rural environment, where low-density neighborhoods blend readily into the natural landscape.

## **COMMUNITY HEALTH AND ENGAGEMENT**

### *SUPPORT A HEALTHY AND ENGAGED COMMUNITY*

- Support the needs of families and the health and development of local youth.
- Foster education and life-long learning opportunities for community members of all ages.
- Promote community leadership and local partnerships with local and regional agencies while remaining flexible and responsive to changing community needs.
- Maintain an environment that always welcomes and encourages productive public discussion on issues shaping Atascadero's present and future.



# General Plan Update

## Vision and Guiding Principles

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## PUBLIC SERVICES AND INFRASTRUCTURE

### *MAINTAIN AND ENHANCE EFFICIENT, COST-EFFECTIVE, AND SUSTAINABLE SYSTEMS*

- Maintain and develop new roads, storm drain network, and other infrastructure to high standards consistent with their purpose and classification.
- Prioritize efficient and cost-effective new sewer connections within urban areas.

- Support the development and provision of power supply and electricity alternatives.
- Improve technology infrastructure and the municipal network to provide high-speed communications and data transmission options from multiple providers.

## SAFETY AND RESILIENCY

### *PLAN AND PREPARE FOR COMMUNITY SAFETY*

- Recognize all natural hazards that affect the use of properties and emergency response capabilities, and minimize related impacts.
- Incorporate natural resource preservation goals into decisions and projects involving land use and infrastructure improvements.
- Understand all planning and preparedness considerations for the wildland-urban interface and associated fire risks and incorporate those considerations into land use and emergency preparedness decision-making.
- Ensure all neighborhoods and business districts are adequately served by police, fire, and emergency medical services.
- Support strategic emergency response planning efforts and the provision of facilities that improve effective and efficient essential services.
- Improve road connections and egress to support traffic safety and timely evacuation in the event of a disaster.
- Minimize adverse noise conditions near sensitive land uses and within natural open space areas.
- Maintain and enhance public safety through community and environmental designs that promote secure, active, and safe streets and neighborhoods.
- Recognize the cyclical nature of California's drought cycles and create a community culture of water conservation as a standard practice.

## **PARKS AND RECREATION**

### *ENHANCE AND LEVERAGE OUR COMMUNITY SPACES*

- Provide a variety of recreation experiences at City parks, the zoo, local and regional open spaces, and public plazas throughout Atascadero.
- Encourage community connections to outdoor activities and nature that promote physical and mental health and wellbeing.
- Improve and expand City trails, parks, and open spaces to create additional opportunities for residents to exercise, spend time outdoors in the community, and enjoy nature.
- Provide outdoor recreation facilities, activities, and seasonal events that are inclusive of people of all ages.
- Program events and activities year-round that enhance community and celebrate Atascadero, highlight and promote local businesses, and support tourism.
- Maintain sustainable funding sources for parks and recreation facilities and programs.

## **CONSERVATION AND OPEN SPACE**

### *PROTECT AND CELEBRATE OUR NATURAL ENVIRONMENT*

- Preserve and enhance open spaces, natural resources, and environmentally sensitive areas.
- Preserve and protect important historic and cultural resources that serve as significant, visible reminders of the City's social and architectural history.
- Recognize and preserve Atascadero's west side as a rural environment, where low-density neighborhoods blend readily into the natural landscape.

## **COMMUNITY HEALTH AND ENGAGEMENT**

### *SUPPORT A HEALTHY AND ENGAGED COMMUNITY*

- Support the needs of families and the health and development of local youth.
- Foster education and life-long learning opportunities for community members of all ages.
- Promote community leadership and local partnerships with local and regional agencies while remaining flexible and responsive to changing community needs.
- Maintain an environment that always welcomes and encourages productive public discussion on issues shaping Atascadero's present and future.

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## B. General Plan Update 2000

### 1. The General Plan Update Process

The most recent update to the General Plan began in the winter of 2000. To respond to community concerns about protecting the integrity of the current General Plan, the City prepared a General Plan that is an update and refinement of the 1992 General Plan rather than a complete rewrite. In the first step, the City Council adopted *Guiding Community Goals* by readopting the Goals of the previous General Plan. These goals provide the foundation for the direction of all the required components of the General Plan, and they provide continuity with the public's desires that were incorporated into the 1980 and 1992 General Plans.

### 2. Smart Growth

Aware that concern for environmental protection and resource conservation are becoming increasingly important issues at all levels, the City Council and Planning Commission jointly developed a set of "Smart Growth Principles". Smart Growth is a concept in city planning that encourages more compact, walkable communities that encourage pedestrian scale mixed use infill rather than automobile dependent subdivisions. The "Atascadero Smart Growth Principles" were intended to supplement the Goals of the previous General Plan and provide a solid foundation for the new General Plan that combined the communities' previous 20-years of planning with the most current principles of good community development.

**Table I-2: Atascadero's Smart Growth Principles**

1. **Provide for well-planned new growth.** Recognize and preserve critical areas of open space, environmental habitats, and agricultural lands, while accommodating new growth in compact forms in areas designated for higher density, in a manner that encourages multi-modal transportation opportunities, integrates the new growth, and creates housing and job opportunities for people of all ages and income levels.
2. **Maximize use of existing infrastructure.** Accommodate additional growth by first focusing on the use and reuse of existing urbanized lands supplied with infrastructure, with an emphasis on reinvesting in the maintenance and revitalization of existing infrastructure.
3. **Support vibrant city centers.** Give preference to the redevelopment and reuse of Downtown Atascadero and appropriate nodes along existing transportation corridors through the encouragement and retention of mixed-use development, business vitality, housing opportunities for people of all income levels, and safe, reliable and efficient multi-modal transportation systems.
4. **Develop and support coordinated planning for regional impacts.** Coordinate planning with neighboring communities and the County so that there are agreed upon regional strategies and policies for dealing with the regional impacts of growth on transportation, housing, schools, air water, wastewater, solid waste, natural resources, agricultural lands, and open space.

5. **Support high quality education and school facilities.** Encourage and support high quality public education, neighborhood-accessible school facilities and adequate library services as a critical determinant in making our community attractive to families, maintaining a desirable and livable community, promoting life-long learning opportunities, enhancing economic development, and providing a work force qualified to meet the full range of job skills required in the future economy.
6. **Build strong communities.** Support and embrace the development of strong families and a socially and ethnically diverse community, by: (1) working to provide a balance of jobs and housing within the community; (2) reducing commute time; (3) promoting community involvement; (4) enhancing public safety; and (5) providing and supporting cultural and recreational opportunities.
7. **Emphasize joint-use of facilities.** Emphasize the joint-use of existing compatible public facilities operated by City, school, County, and state agencies, as well as take advantage of opportunities to form partnerships with private businesses and non-profit agencies to maximize the community benefit of existing public and private facilities.
8. **Support creative entrepreneurial efforts.** Support local endeavors to create new products, services and businesses that will expand the wealth and job opportunities for all social and economic levels.
9. **Encourage full community participation.** Foster an open and inclusive community dialogue and promote alliances and partnerships to meet community needs.
10. **Establish a secure local revenue base.** Create/support the establishment of a secure, balanced, and discretionary local revenue base necessary to provide the full range of needed services and quality land use decisions.

### 3. Community Involvement

The next step of the General Plan update process was to get the community involved consistent with Smart Growth Principle #9. The City held over a dozen neighborhood meetings, workshops and charettes to gather input from residents on what they thought was important about Atascadero, and what they would like Atascadero to be in the future. The results of this outreach effort found that the community is deeply concerned about maintaining the small-town / rural atmosphere of Atascadero. This concern included preserving the natural qualities of community; protecting native oaks, creeks, open vistas, hillsides and natural habitats; providing good public services and amenities; maintaining safe, clean neighborhoods; providing a range of commercial opportunities; increasing local employment and improving the appearance of the community. These issues were organized into the following four categories under the title of General Plan Framework Principles: 1) protecting the natural environmental, 2) improving the appearance of the community, 3) developing a strong revenue base and 4) creating strong neighborhoods.

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**Table I-3: General Plan Framework Principles**

**Protect the Natural Environment**

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- Open Space and Hillside
- Oak Woodlands
- Wildlife
- Creeks and the Salinas River

**Improve the Appearance and Character of Atascadero**

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- Rural Atmosphere /Small Town Scale / Architectural Character
- El Camino Real & Morro Road / streetscape appearance
- US 101 corridor
- Signs

**Provide a Secure Revenue Base**

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- Provision of City Services
- Downtown Revitalization
- Primary Wage Earner Jobs
- Business and Industry
- Additional Commercial Services & Variety

**Promote Well Planned Neighborhoods**

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- Parks and Trails
- Affordable Housing
- Traffic and Streets
- Large Lot Residential Areas
- Mixed Use Areas

#### **4. The Draft Plan**

The Readopted Goals, Smart Growth Principles and the Framework Principles were incorporated into a series of land use alternatives that were reviewed by the public in the spring of 2001. At the same time, a list of Policy Options was developed to determine if there were existing General Plan policies that should be updated. Through a series of public workshops and meetings, the three alternatives were refined into a Preferred Alternative and a number of opportunities and challenges were identified in the Policy Options report.

That Preferred General Plan Land Use Alternative was endorsed by the City Council in September 2001 with a build-out population of approximately 36,000 persons as the preferred plan for the General Plan update. In addition, the Council provided direction on each of the Policy Options which was in turn developed into General Plan policies. A Draft General Plan encompassing the revised goals, land use plan and circulation diagram was distributed for

public review in February 2002, along with an accompanying Draft Environmental Impact Report (DEIR). The DEIR disclosed potential effects of the Draft Plan and recommended appropriate mitigation measures, pursuant to the California Environmental Quality Act.

## C. General Plan Requirements

This section discusses the legal framework and requirements for the General Plan, its organization, and the relationship of the General Plan to the local planning process in Atascadero.

California planning law requires the City to prepare and adopt a “comprehensive, long-term General Plan for [its] physical development” (Government Code 65300). A General Plan expresses the community’s goals for the future distribution and character of land uses and development, both public and private. The General Plan is required to be comprehensive in terms of issues addressed and must include the City’s entire physical planning area. It is required to be long-term and internally consistent. Towards this end, planning activities including zoning approvals and amendments, subdivision approvals, capital improvements, and development activities need to conform to the City’s General Plan. Preparing, adopting, implementing and maintaining a General Plan serves to:

- Identify the community’s land use, circulation, environmental, economic, and social goals and policies as they relate to land use and development.
- Provide a basis for local government decision-making, including decisions on development approvals and exactions.
- Provide citizens with opportunities to participate in the planning and decision making processes of their community.
- Inform citizens, developers, decision makers, and other cities and counties of the ground rules that guide development within the community.

The General Plan bridges the gap between community values, visions and objectives, and physical decisions such as subdivisions, land development and public works. California law (Government Code Section 65302) requires that the General Plan include a statement of policies for each of the following topics: land use, circulation, housing, conservation, open space, noise and safety. The typical content of these required “elements” include the following:

- **Land use.** Designates the general distribution and intensity of land uses, including the location and type of housing, businesses, industry, open space, education, public buildings, and parks.
- **Circulation.** Identifies the general location and nature of existing and proposed circulation, including roadways (e.g. arterial, collector, and local streets), highways, transit, and other transportation facilities and modes.