



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.

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. 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 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.

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. 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

AGENDA

Tuesday, June 13, 2023

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

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

PLEDGE OF ALLEGIANCE: Council Member Bourbeau

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.

PRESENTATIONS:

1. Proclamation Recognizing LGBTQ+ Citizens of Atascadero

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 – May 23, 2023

- Recommendation: Council approve the May 23, 2023 Draft City Council Regular Meeting Minutes. [City Clerk]

2. **Authorizing Temporary Road Closures for 2023 Hot El Camino Cruise Nite and Colony Days Parade Route**
 - Fiscal Impact: None.
 - Recommendation: Council
 1. Adopt Draft Resolution A, authorizing temporary road closures and restrictions on August 18, 2023 for the Hot El Camino Cruise Nite; and
 2. Adopt Draft Resolution B, authorizing temporary road closures and restrictions on October 7, 2023 for the Colony Days Parade Route. [Public Works]

3. **Side Letters of Agreement for the Atascadero Police Officers Association, Atascadero Professional Firefighters Local 3600, Mid-Management/Professional Employees Association, Service Employees International Union Local 620, and Resolution for Non-Represented Professional and Management Workers and Confidential Employees**
 - Fiscal Impact: \$516,800 for fiscal year 2023-2024.
 - Recommendation: Council:
 1. Approve the Side Letters of Agreement for the Atascadero Police Officers Association, Atascadero Professional Firefighters Local 3600, Mid-Management/Professional Employees Association, Service Employees International Union Local 620; and
 2. Adopt the Draft Resolution for Non-Represented Professional and Management Workers and Confidential Employees; and
 3. Approve the Salary Schedule for Fiscal Year 2023-2024. [City Manager]

4. **Atascadero Transit Innovative Clean Transit Zero Emissions Bus Rollout Plan**
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution, approving the Innovative Clean Transit (ICT) Zero Emissions Bus Rollout Plan for Atascadero Transit. [Public Works]

5. **Emergency Contract Award for Lake Fill Line**
 - Fiscal Impact: \$75,000.
 - Recommendation: Council:
 1. Ratify, by review and determination, that there is a need to continue the Emergency Services Director's authorization to contract with Souza Construction Inc. to complete emergency Lake Fill Line Clearing and Repairs, pursuant to City's Purchasing Policy and Public Contract Code Section 22035 and 22050; and
 2. Authorize the Director of Administrative Services to appropriate \$75,000 in Parkland Facilities Fees Funds for the Emergency Lake Fill Line Repair Project. [Public Works]

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.)

B. PUBLIC HEARINGS:

1. 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, approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto for fiscal year 2023/2024; and
 2. Adopt Draft Resolution B, ordering the levy and collection of assessments for fiscal year 2023/2024 for Street and Storm Drain Maintenance District No. 01 (Apple Valley); and
 3. Adopt Draft Resolution C, approving the final Engineer's Report regarding the Landscaping and Lighting District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto in fiscal year 2023/2024; and
 4. Adopt Draft Resolution D, ordering the levy and collection of assessments for fiscal year 2023/2024 for Landscaping and Lighting District No. 01 (Apple Valley). [Administrative Services]

2. 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, approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto for fiscal year 2023/2024; and
 2. Adopt Draft Resolution B, ordering the levy and collection of assessments for fiscal year 2023/2024 for Street and Storm Drain Maintenance District No. 03 (De Anza Estates); and
 3. Adopt Draft Resolution C, approving the final Engineer's Report regarding the Landscaping and Lighting District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto in fiscal year 2023/2024; and

4. Adopt Draft Resolution D, ordering the levy and collection of assessments for fiscal year 2023/2024 for Landscaping and Lighting District No. 03 (De Anza Estates). [Administrative Services]

3. 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, approving the final Engineer’s Report regarding the Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]), and the levy and collection of annual assessments related thereto for fiscal year 2023/2024; and
 2. Adopt Draft Resolution B, ordering the levy and collection of assessments for fiscal year 2023/2024 for Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]); and
 3. Adopt Draft Resolution C, approving the final Engineer’s Report regarding the Landscaping and Lighting District No. 02 (Las Lomas [Woodridge]), and the levy and collection of annual assessments related thereto in fiscal year 2023/2024; and
 4. Adopt Draft Resolution D, ordering the levy and collection of assessments for fiscal year 2023/2024 for Landscaping and Lighting District No. 02 (Las Lomas [Woodridge]). [Administrative Services]

4. Downtown Parking and Business Improvement Area (DPBIA) Confirmation of Annual Assessment (FY 2023-2024)

- Fiscal Impact: Collection of \$14,540 in assessment revenue and expenditures budgeted at \$14,540 for fiscal year 2023-2024.
- Recommendation: Council adopt Draft Resolution, confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2023-2024). [Administrative Services]

5. Atascadero Tourism Business Improvement District (ATBID) Confirmation of Annual Assessment (Fiscal Year 2023-2024)

- Fiscal Impact: Collection of \$414,120 in assessment revenue and expenditures budgeted at \$419,890 for fiscal year 2023-2024.
- Recommendation: Council adopt Draft Resolution, confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2023-2024). [Administrative Services]

C. MANAGEMENT REPORTS:

1. 2023-2025 Operating and Capital Budget

- Fiscal Impact: Total revenues for all funds are budgeted at \$67,908,930 and \$58,390,010 for fiscal years 2023-2024 and 2024-2024, respectively; total expenditures for all funds are budgeted at \$86,968,290 and \$66,994,120 for fiscal years 2023-2024 and 2024-2025, respectively.
- Recommendation: Council:

1. Adopt Draft Resolution A, adopting the budgets for the 2023-2024 and 2024-2025 fiscal years and delegating to the City Manager the authority to implement the same; and
2. Adopt Draft Resolution B, amending the fiscal year 2022-2023 budget; and
3. Adopt Draft Resolution C, adopting the fiscal year 2023-2024 annual spending limit; and
4. Adopt Draft Resolution D, reaffirming the necessity of Development Impact Fees; and
5. Approve the 2021-2023 City of Atascadero Draft Action Plan.
[Administrative Services]

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. Design Review Committee
5. Visit SLO CAL Advisory Committee

Council Member Newsom

1. City of Atascadero Finance Committee
2. City / Schools Committee
3. 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



CITY OF ATASCADERO CITY COUNCIL

DRAFT MINUTES

Tuesday, May 23, 2023

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

City Council Closed Session: 5:00 P.M.

City Council Regular Session: 6:00 P.M.

CITY COUNCIL CLOSED SESSION: 5:00 P.M.

Mayor Moreno called Closed Session to order at 5:02 p.m.

1. ROLL CALL

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

Absent: None

Others Present: None

Staff Present: City Manager Rachelle Rickard, Administrative Services Director Jeri Rangel, City Attorney Brian Pierik, Deputy City Manager/City Clerk Lara Christensen, and Deputy City Manager – IT Luke Knight

2. CLOSED SESSION -- PUBLIC COMMENT – None

3. COUNCIL LEAVES CHAMBERS TO BEGIN CLOSED SESSION

Deputy City Manager – IT Knight did not attend this portion of the meeting.

4. CLOSED SESSION -- CALL TO ORDER

- a. **Conference with Labor Negotiators** (Govt. Code Sec. 54957.6)
Agency designated representatives: Rachelle Rickard, City Manager
Employee Organizations: Atascadero Professional Firefighters, Local 3600; Atascadero Police Association; Service Employees International Union, Local

620; Mid-Management/Professional Employees; Non-Represented Professional and Management Workers and Confidential Employees

- 5. **CLOSED SESSION – ADJOURNMENT**
- 6. **COUNCIL RETURNS TO CHAMBERS**
- 7. **CLOSED SESSION – REPORT**

City Attorney Pierik reported that there was no reportable action from Closed Session.

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

Mayor Moreno called the meeting to order at 6:00 p.m. and Mayor Pro Tem Funk 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 Phil Dunsmore, 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, Battalion Chief Matt Miranda, Deputy Economic and Community Development Director Loreli Cappel, Public Works Analyst Ryan Betz and Associate Planner Mariah Gasch

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.*

A. CONSENT CALENDAR:

- 1. **City Council Draft Action Minutes – May 9, 2023**
 - Recommendation: Council approve the May 9, 2023 Draft City Council Regular Meeting Minutes. [City Clerk]
- 2. **April 2023 Accounts Payable and Payroll**
 - Fiscal Impact: \$1,560,437.43

- Recommendation: Council approve certified City accounts payable, payroll and payroll vendor checks for April 2023. [Administrative Services]
- 3. **Downtown Parking and Business Improvement Area (DPBIA) Assessment**
 - Fiscal Impact: None.
 - Recommendation: Council adopt Draft Resolution, declaring intent to levy the annual Downtown Parking and Business Improvement Area assessment, and set a public hearing for June 13, 2023. [City Manager]
- 4. **Atascadero Tourism Business Improvement District (ATBID) Annual Assessment**
 - Fiscal Impact: None.
 - Recommendation: Council:
 1. Approve the ATBID Annual Report; and
 2. Adopt Draft Resolution, declaring intent to levy an annual Business Improvement District assessment on lodging businesses within the Atascadero Tourism Business Improvement District, and set a public hearing for June 13, 2023. [City Manager]
- 5. **Atascadero Tourism Business Improvement District (ATBID) Board Appointment of Two Board Members for New Term**
 - Fiscal Impact: None.
 - Recommendation: Council appoint Corina Ketchum and Tom O'Malley to the ATBID Advisory Board for the term expiring June 30, 2025. [City Manager]
- 6. **Annexation of the Marketplace Project into Community Facilities District 2005-1, Annexation No. 25**
 - Fiscal Impact: Assessment revenue will range between \$0 and \$71,677 each year, with annual adjustments for inflation.
 - Recommendation: Council adopt Draft Resolution, declaring intent to annex territory into Community Facilities District 2005-1 (Public Services) as Annexation No. 25, and to authorize the levy of special taxes therein (Marketplace). [Community Development]
- 7. **Adopting a List of Projects for Fiscal Year 2023-2024 Funded by SB 1: the Road Repair and Accountability Act of 2017**
 - Fiscal Impact: \$760,910 in 2023-2024 SB 1 funding.
 - Recommendation: Council adopt Draft Resolution, adopting a list of projects to be funded with Road Maintenance and Rehabilitation Account revenues from SB 1 (The Road Repair and Accountability Act of 2017) for fiscal year 2023-2024. [Public Works]
- 8. **Broadband Strategy Implementation Services**
 - Fiscal Impact: \$90,000.
 - Recommendation: Council approve a contract with TeleworX on a time and materials basis, not to exceed \$90,000, for North County Broadband Strategy Implementation Services. [Community Development]

MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to approve the Consent Calendar Items. (#A-3: Resolution No. 2023-033) (#A-4: Resolution No. 2023-034) (#A-6: Resolution No. 2023-035) (#A-7: Resolution No. 2023-036) (#A-8: Contract No. 2023-013)

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: Twila Martin and Geoff Auslen.

B. PUBLIC HEARINGS:

1. Proposition 218 Majority Protest Process Relative to Proposed Increase to Wastewater (Sewer) Rates

- Fiscal Impact: \$750,000 in additional revenue from increased sewer service charges.
- Recommendation: Council:
 1. Conduct a public hearing to receive all written and verbal testimony regarding the proposed wastewater (sewer) rates and consider the results of protest proceedings in accordance with Proposition 218; and
 2. Adopt one of the following resolutions certifying the protest results:
 - A. For a non-majority protest – Draft Resolution A, certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase.
 - OR**
 - B. For a majority protest – Draft Resolution B, certifying that the number of valid written protests were received from property owners representing a majority of the parcels subject to the proposed rate increase.
 3. If no majority protest exists, adopt Draft Resolution C, approving proposed wastewater rates effective July 1, 2023. [Public Works]

Ex Parte: None

Public Works Analyst Betz gave the report and answered questions from the Council.

PUBLIC COMMENT:

The following persons spoke on this item: None

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Funk to adopt Resolution No. 2023-037 certifying that the number of valid written protests were not received from property owners representing a majority of the parcels subject to the proposed rate increase and adopt Resolution No. 2023-038 approving proposed wastewater rates effective July 1, 2023.

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

2. Amendments to Fee Schedule

- Fiscal Impact: Operating revenue from the CPI increase will be offset by increases in costs to provide the services.
- Recommendation: Council adopt Draft Resolution, adopting amended fees and deposits to offset costs incurred in planning services, and a schedule of fees and charges for City services. [Administrative Services]

Ex Parte: None

Administrative Services Director Rangel gave the report and answered questions from the Council.

PUBLIC COMMENT:

The following persons spoke on this item: Geoff Auslen

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Council Member Dariz to adopt Resolution No. 2023-039, adopting amended fees and deposits to offset costs incurred in planning services, and a schedule of fees and charges for City services with the following changes:

- Amend 23-055 and 23-055A keeping the percentages from the approved 2022 Fee Schedule.
- Amend 23-131A to waive nominal amounts up to \$25.

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

C. MANAGEMENT REPORTS:

1. El Camino Real Downtown Infrastructure Enhancement Project

- Fiscal Impact: None.
- Recommendation: Council review and approve the final concept plan for the El Camino Real Downtown Infrastructure Enhancement Plan, and direct staff and design consultant to move forward with preparation of final construction bid package. [Public Works]

Public Works Director DeBar gave a brief summary of the report and introduced the design consultant, Sarah Huffman with Wallace Group, who gave the report and answered questions from the Council.

PUBLIC COMMENT:

The following persons spoke on this item: Geoff Auslen

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Bourbeau and seconded by Mayor Pro Tem Funk to approve the final concept plan for the El Camino Real Downtown Infrastructure Enhancement Plan and direct staff and

design consultant to move forward with preparation of final construction bid package.
Motion passed 5:0 by a roll-call vote.

2. Discussion of Potential Text Amendments to Titles 3 and 9, Planning and Zoning

- Fiscal Impact: None.
- Recommendation: Council review and discuss potential text amendments to Titles 3 and 9, Planning and Zoning, and direct staff regarding which amendments to bring forward at this time. [Community Development]

Community Development Director Dunsmore gave the report and answered questions from the Council. Associate Planner Gash also answered question from Council.

PUBLIC COMMENT:

The following persons spoke on this item: None

Mayor Moreno closed the Public Comment period.

MOTION: By Council Member Newsom and seconded by Mayor Pro Tem Funk to direct staff to bring forward all 14 potential text amendments to Titles 3 and 9, Planning and Zoning, of the Atascadero Municipal Code, giving staff discretion to prioritize when and which amendments to bring forward to Council for review, discussion, and adoption.
Motion passed 5:0 by a roll-call vote.

D. COUNCIL ANNOUNCEMENTS AND COMMITTEE REPORTS:

Mayor Moreno

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

Mayor Pro Tem Funk

1. Design Review Committee
2. Homeless Services Oversight Council

Council Member Bourbeau

1. City of Atascadero Finance Committee
2. Integrated Waste Management Authority (IWMA)

Council Member Dariz

1. Air Pollution Control District
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

Council Member Newsom reported attending the CJPIA Elected Official Summit from May 15-17, 2023 in Paso Robles.

E. INDIVIDUAL DETERMINATION AND / OR ACTION:

1. City Council – Mayor Moreno announced that Council Member Dariz would take Council Member Newsom’s place on DRC and Mayor Pro Tem Funk would be the new Chair of DRC.

F. ADJOURN

Mayor Moreno adjourned the meeting at 8:55 p.m.

MINUTES PREPARED BY:

Lara K. Christensen
Deputy City Manager / City Clerk

APPROVED:



Atascadero City Council

Staff Report – Public Works Department

Authorizing Temporary Road Closures for 2023 Hot El Camino Cruise Nite and Colony Days Parade Route

RECOMMENDATIONS:

Council:

1. Adopt Draft Resolution A, authorizing temporary road closures and restrictions on August 18, 2023 for the Hot El Camino Cruise Nite.
2. Adopt Draft Resolution B, authorizing temporary road closures and restrictions on October 7, 2023 for the Colony Days Parade Route.

DISCUSSION:

Historically, the City participates in two special events each year that require encroachment permits from Caltrans: Hot El Camino Cruise Nite and the Colony Days Parade. Both of these events require the closure of Highway 41 at El Camino Real and the closure of the US 101 northbound Highway 41 exit. In order to obtain a Caltrans encroachment permit, the City must provide Caltrans with a traffic control and detour plan for the Highway 41 closures. In addition, Caltrans requires a City Council resolution authorizing the temporary road closure of El Camino Real and the other streets affected along the routes.

Hot El Camino Cruise Nite: Friday, August 18, 2023 (event 6:30 to 8:30 p.m.)

This event begins at 6:30 p.m. but requires temporary road closures in advance of the start time to secure and clear the event route. The following road segments are proposed to be closed from 5:00 p.m. until 9:00 p.m. for the Hot El Camino Cruise Nite event:

- El Camino Real from Curbaril Avenue to Traffic Way
- San Luis Avenue from Curbaril Avenue to Pueblo Avenue
- Pueblo Avenue from San Luis Avenue to El Camino Real
- East Mall from El Camino Real to Palma Avenue
- West Mall from El Camino Real to Lewis Avenue
- Entrada Avenue from El Camino Real to Lewis Avenue
- Traffic Way from El Camino Real to Lewis Avenue
- Palma Avenue from Traffic Way to East Mall

The Hot El Camino Cruise Nite event attracts tourists and spectators who line El Camino Real to view the vehicles that participate in this historically popular event.

The following evening, “Dancing in the Streets,” a popular event that debuted in 2016, will have street closures that will only impact the downtown area from West Mall to Traffic Way. “Dancing in the Streets” is tentatively planned for Saturday, August 19, 2023 from 5:00 p.m. to 9:00 p.m. A resolution is not needed for this event since Caltrans highway operations are unaffected by the event.

Colony Days Parade: Saturday, October 7, 2023 (event 10:00 a.m. to 1:00 p.m.)

The Colony Days Parade route will begin on El Camino Real near Pueblo Avenue and travel northbound on El Camino Real, then turn east on West Mall ending at Lewis Avenue near City Hall. Required road closures are very similar to Hot El Camino Cruise Nite except Lewis Avenue (between Entrada Avenue and East Mall) and West Mall (between Lewis Avenue and Olmeda Avenue) will also be closed, while Traffic Way, Entrada Avenue, and Palma Avenue (between Traffic Way and Entrada Avenue), will remain open.

Road closures for the Colony Days Parade occurs in two stages. The first stage occurs at 8:00 a.m. and is a “soft” closure that closes a portion of the parade route to allow floats and other participants to set up. The second stage occurs at 9:30 a.m. and is a “hard” closure that prohibits all unauthorized vehicles from driving through the parade route or any closed road.

A detail of each of the road closures is included in the Draft Resolutions (Attachments 1 & 2) and on the proposed route for Hot El Camino Cruise Nite and Colony Days (Attachment 3).

FISCAL IMPACT:

Cruise Nite incurs no net fiscal impact. The City cost of conducting the event is approximately \$15,000 and is included in the adopted budget. It is anticipated that these costs will be fully recovered through budgeted sponsorships and entry fees.

The Colony Days closure of the parade route is expected to take over 100 hours of budgeted staff time for road closure applications, set-up and oversight of the road closure. Colony Days is a non-profit event co-sponsored by the City.

ATTACHMENTS:

1. Draft Resolution A - Cruise Nite
2. Draft Resolution B - Colony Days
3. Maps - Proposed Hot El Camino Cruise Nite and Colony Days Parade Routes

DRAFT RESOLUTION A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, AUTHORIZING TEMPORARY ROAD CLOSURES AND RESTRICTIONS FOR HOT EL CAMINO CRUISE NITE

BE IT RESOLVED, by the City Council of the City of Atascadero that the Hot El Camino Cruise Nite route is hereby established as: El Camino Real from Curbaril Avenue to Entrada Avenue to Palma Avenue to Traffic Way and returning to El Camino Real. Additionally, San Luis Avenue from Curbaril Avenue to Pueblo Avenue, and Pueblo Avenue from San Luis Avenue to El Camino Real, will be closed for participant registration and check-in activities.

BE IT FURTHER RESOLVED that in order to provide a closed route for the Cruise, the area described above is designated as a “No Parking” and tow-away zone from 5:00 p.m. until 9:00 p.m., on August 18, 2023.

BE IT FURTHER RESOLVED that the City Engineer is authorized to make modifications to the above road restrictions and associated traffic control plan as necessary to address conflicts, improve efficiencies, and for public health, welfare, and safety purposes.

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, AUTHORIZING TEMPORARY ROAD
CLOSURES AND RESTRICTIONS FOR
COLONY DAYS PARADE ROUTE**

BE IT RESOLVED by the City Council of the City of Atascadero that the Colony Days Parade route is hereby established as El Camino Real from Curbaril Avenue to West Mall and ending at Lewis Avenue with the Colony Day Festivities centered at the Sunken Gardens. Additionally, San Luis Avenue from Curbaril Avenue to Pueblo Avenue and Pueblo Avenue from Luis Avenue to El Camino Real will be closed for Colony Days Parade staging area.

BE IT FURTHER RESOLVED that in order to provide a reserved route for the Parade, staging and associated activities, the following actions are required:

Friday, October 6, 2023 through Saturday, October 7, 2023 – 24 hours

Establish “No Parking” and tow-away zone

- East Mall – South side only, from El Camino Real to Palma Avenue

Saturday, October 7, 2023 – 6:00 a.m. until 5:00 p.m.

Establish road closure and tow-away zone

- East Mall, from El Camino Real to Palma Avenue
- West Mall, from El Camino Real to Lewis Avenue
- Palma Avenue, from East Mall to West Mall

Saturday, October 7, 2023 – 8:00 a.m. until 1:00 p.m. (Hard closure at 9:30 a.m.)

Establish road closure and tow-away zone

- El Camino Real, from Curbaril Avenue to Entrada Avenue
- San Luis Avenue, from Curbaril Avenue to Pueblo Avenue
- Pueblo Avenue, from San Luis Avenue to El Camino Real
- Lewis Avenue, from Entrada Avenue to East Mall (close at 10:00 a.m.)
- West Mall, from Lewis Avenue to Olmeda Avenue (close at 10:00 a.m.)

BE IT FURTHER RESOLVED that the City Engineer is authorized to make modifications to the above road restrictions and associated traffic control plan as necessary to address conflicts, improve efficiencies, and for public health, welfare, and safety purposes.

ITEM NUMBER: A-2
DATE: 06/13/23
ATTACHMENT: 2

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:

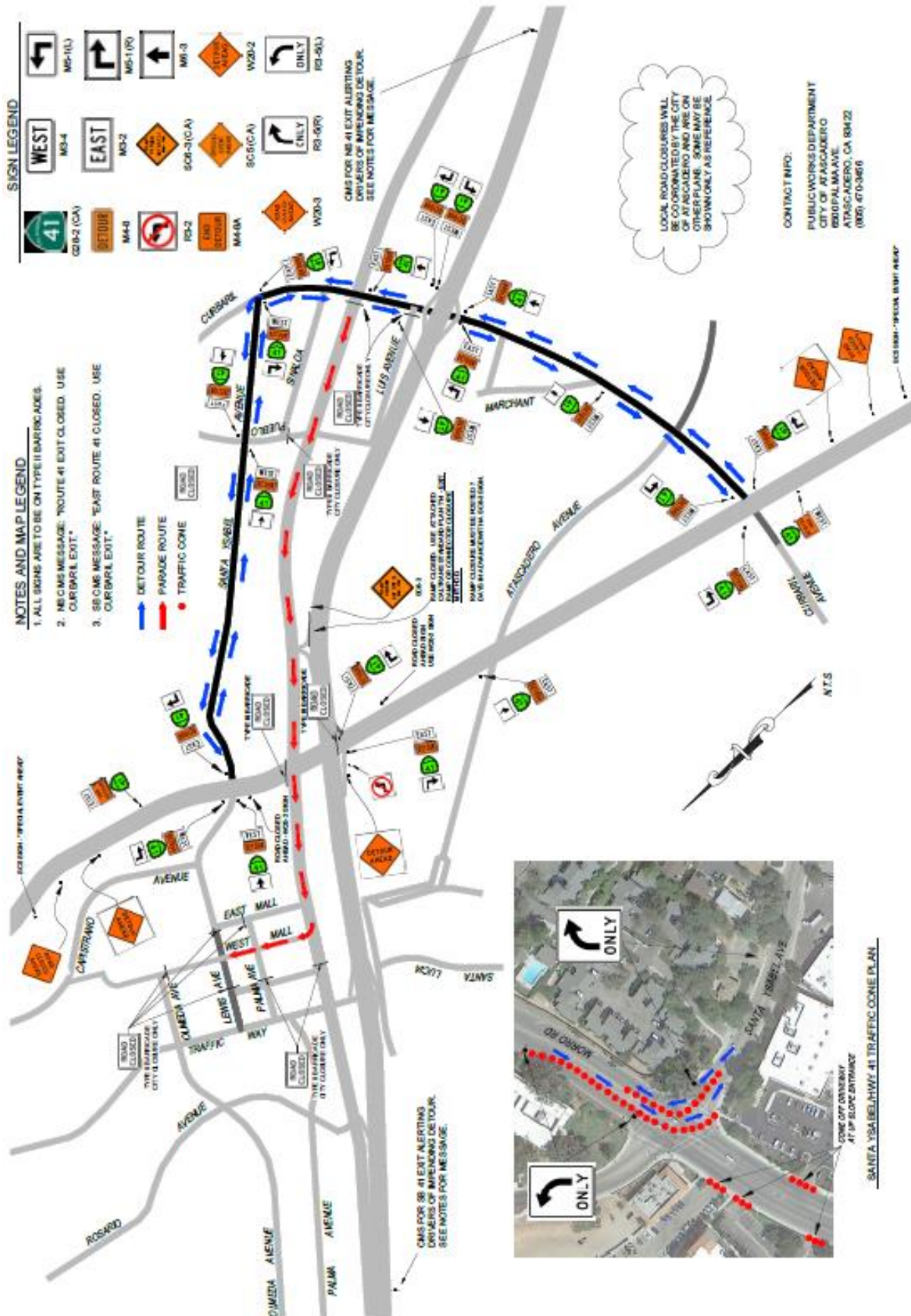
CITY OF ATASCADERO:

Heather Moreno, Mayor

ATTEST:

Lara K. Christensen, City Clerk

Colony Days Parade





Atascadero City Council

Staff Report - City Manager's Office

Side Letters of Agreement for the Atascadero Police Officers Association, Atascadero Professional Firefighters Local 3600, Mid-Management/Professional Employees Association, Service Employees International Union Local 620, and Resolution for Non-Represented Professional and Management Workers and Confidential Employees

RECOMMENDATIONS:

Council:

1. Approve the Side Letters of Agreement for the Atascadero Police Officers Association, Atascadero Professional Firefighters Local 3600, Mid-Management/Professional Employees Association, Service Employees International Union Local 620; and
2. Adopt the Draft Resolution for Non-Represented Professional and Management Workers and Confidential Employees; and
3. Approve the Salary Schedule for Fiscal Year 2023-2024.

DISCUSSION:

The City of Atascadero has a total of five employee bargaining units. Agreements for all of the bargaining units are effective through June 30, 2024. The five bargaining units include the Atascadero Police Officers Association (APOA), the Atascadero Professional Firefighters Association (APFA), the Mid-Management/Professional Employees Association (MMPEA), the Service Employees International Union Local 620 (SEIU), as well as the Resolution for Non-Represented Professional and Management Workers and Confidential Employees (Non-Represented).

As part of Measure D-20, the Council and community stated that retaining professional employees and the ability to attract professional employees is a priority area. While compensation is often not the only reason an employee chooses to work for an employer, when there are significant differences in pay, it is an important consideration. Because the cost of living is high in the area, and neighboring jurisdictions are able to pay more, the City's low wages are often a barrier to attracting, hiring and—most importantly—retaining

professional employees. This has a large effect on City operations as vacancies lead to even lower staffing levels, inefficiencies and additional incurred costs as new employees are trained.

When approving the three-year labor agreements in 2021, the City made significant strides in adjusting salaries closer to the average wage paid for each position in the County. Since approving the labor agreements, other jurisdictions in the County have also approved labor agreements with increases causing the City to once again be below the countywide average pay for most positions. It is important to pay competitive salaries in order to retain and attract professional employees to serve this community. Due to the desire to remain competitive and the high inflation rates, it is recommended that an additional 3% Cost of Living Allowance (COLA) be added to the salary schedule effective July 1, 2023 for all positions. (The salary for City Manager will not receive this COLA, but instead will be changed to the amount included in the Employment Agreement for James R. Lewis approved by the Council on May 9, 2023.)

In order to adopt the additional 3% COLA, an agreement must be executed with each bargaining unit (side letters) and a new resolution adopted for Management and Confidential Employees. Each bargaining unit has gratefully approved each of the proposed side-letters. A new salary schedule with the proposed new monthly salaries must also be adopted by Council.

An additional change is being proposed to the Management and Confidential Resolution to clarify the eligibility requirements for post-retirement health benefits. The current wording states that an employee must have served for 8 years. The proposed language change clarifies that the employee must have served **a minimum** of 8 years. A language change is also proposed to clarify that Council Members who are eligible for the benefit shall be eligible after serving consecutive terms that total approximately 8 years (i.e., two 4-year council terms, four 2-year mayor terms, one 4-year council term and two 2-year mayor terms, etc.) Because the swear-in and leaving office dates are set as the second Tuesday in December, the dates vary by a few days year to year. The proposed change clarifies that the Council Member shall meet the minimum eight-year eligibility requirement even if their last term ends a few days short of the eight years. These proposed language changes do not reflect a change to benefits and are just clarifications.

Conclusion:

Due to the challenges in hiring and retaining quality employees, Council continues to make staffing a priority and has included “*Provide competitive salaries/benefits and appropriate classifications for all employees*” as a key action in the both 2021-2023 Action Plan and the proposed 2023-2025 Action Plan. Approving the proposed side letters, resolution and salary schedule will help the City remain competitive.

FISCAL IMPACT:

The total fiscal impact of these actions is \$516,800 for fiscal year 2023-2024.

ATTACHMENTS:

1. Side Letter of Agreement for the Atascadero Police Association
2. Side Letter of Agreement for Atascadero Professional Firefighters Local 3600
3. Side Letter of Agreement for Mid-Management/Professional Employees Association
4. Side Letter of Agreement for Service Employees International Union Local 620
5. Draft Resolution for Non-Represented Professional and Management Workers and Confidential Employees
6. Salary Schedule for Fiscal Year 2023-2024

Side Letter of Agreement
City of Atascadero
And
Atascadero Police Association

June 13, 2023

Pursuant to the provisions of the Meyers-Milias-Brown Act (“MMBA”), and Sections 1.4.b and 6.2 of the Memorandum of Understanding (“MOU”) between the City of Atascadero (“City”) and the Atascadero Police Association (“Association”) effective July 1, 2021 through June 30, 2024 (“MOU”), this Side Letter of Agreement (“Side Letter Agreement”) is entered into on June 13, 2023, between the City and the Association as an amendment to the MOU. The Association and the City are collectively referred to herein as the “parties.” It is understood and agreed that the specific provisions contained in this Side Letter Agreement shall supersede any previous agreements, whether oral and written, regarding the matters contained herein. Except as provided herein, all wages, hours and other terms and conditions of employment presently enjoyed by the Association in the MOU shall remain in full force and effect.

The City and Association have met and conferred in good faith concerning the terms and conditions of this Side Letter Agreement and its implementation and agree to the following:

SECTION 4.1 SALARY, Year 3 shall be amended as follows:

Year 3 - Effective July 1, 2023 all employees covered under this MOU shall receive a 36.5% (~~three-six~~ point five percent) COLA salary increase. Because the wages paid for certain positions are below the comparable wages for other cities within the County, and because the City hopes to increase retention and attraction of professional employees, an additional 1.5% (one point five percent) inequity adjustment, for a total of 85% (~~fiveeight~~ point zero percent) will be made to base salary for all employees covered under this MOU.

[The following monthly salaries are effective July 1, 2023:](#)

MONTHLY SALARY
Effective July 1, 2023

CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
Community Services Officer	4,521.64	4,747.72	4,985.11	5,234.37	5,496.09
Police Corporal	7,770.35	8,158.86	8,566.80	8,995.14	9,444.90
Police Corporal - Intermediate POST	7,964.61	8,362.84	8,780.98	9,220.03	9,681.03
Police Corporal- Advanced POST	8,158.86	8,566.80	8,995.14	9,444.90	9,917.15
Police Lead Records Technician	5,633.48	5,915.15	6,210.91	6,521.46	6,847.53
Police Level 3 Reserve Officer	7,047.93	7,400.33	n/a	n/a	n/a
Police Officer	7,047.93	7,400.33	7,770.35	8,158.87	8,566.81
Police Officer - Intermediate POST	7,224.13	7,585.34	7,964.61	8,362.84	8,780.98
Police Officer - Advanced POST	7,400.33	7,770.35	8,158.87	8,566.81	8,995.15
Police Officer Recruit	5,496.09	n/a	n/a	n/a	n/a
Police Sergeant	9,029.20	9,480.66	9,954.69	10,452.42	10,975.04
Police Sergeant - Advanced POST	9,254.93	9,717.68	10,203.56	10,713.74	11,249.43
Police Sergeant - Supervisory POST	9,480.66	9,954.69	10,452.42	10,975.04	11,523.79
Public Safety Dispatcher	5,496.09	5,770.89	6,059.43	6,362.40	6,680.52
Public Safety Dispatcher - EMD	5,546.09	5,823.39	6,114.56	6,420.29	6,741.30
Public Safety Dispatcher w/Longevity	5,770.89	6,059.43	6,362.40	6,680.52	7,014.55
Public Safety Dispatcher - EMD with Longevity	5,820.89	6,111.93	6,417.53	6,738.41	7,075.33
Public Safety Lead Dispatcher	6,059.43	6,362.40	6,680.52	7,014.55	7,365.28
Public Safety Lead Dispatcher - EMD	6,109.43	6,414.90	6,735.65	7,072.44	7,426.06
Public Safety Lead Dispatcher w/ Longevity	6,362.40	6,680.52	7,014.55	7,365.28	7,733.54
Public Safety Lead Dispatcher - EMD with Longevity	6,412.40	6,733.02	7,069.68	7,423.17	7,794.32
Senior Property Evidence Specialist	7,365.28	7,733.54	8,120.22	8,526.23	8,952.54
Senior Property Evidence Specialist - EMD	7,415.28	7,786.04	8,175.35	8,584.12	9,013.32
Senior Property Evidence Specialist w/Longevity	7,733.54	8,120.22	8,526.23	8,952.54	9,400.17
Senior Property Evidence Specialist - EMD with Longevity	7,783.54	8,172.72	8,581.36	9,010.43	9,460.95

MONTHLY SALARY
Effective July 1, 2023

CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
Code Enforcement Officer	\$ 5,477.00	\$ 5,750.85	\$ 6,038.39	\$ 6,340.31	\$ 6,657.33
Community Services Officer	\$ 4,396.04	\$ 4,615.84	\$ 4,846.63	\$ 5,088.96	\$ 5,343.41
Police Corporal	\$ 7,554.50	\$ 7,932.22	\$ 8,328.83	\$ 8,745.27	\$ 9,182.53
Police Corporal—Intermediate POST	\$ 7,743.36	\$ 8,130.53	\$ 8,537.06	\$ 8,963.91	\$ 9,412.11
Police Corporal—Advanced POST	\$ 7,932.22	\$ 8,328.83	\$ 8,745.27	\$ 9,182.53	\$ 9,641.66
Police Lead Records Technician	\$ 5,477.00	\$ 5,750.85	\$ 6,038.39	\$ 6,340.31	\$ 6,657.33
Police Level 3 Reserve Officer	\$ 6,852.15	\$ 7,194.76	n/a	n/a	n/a
Police Officer	\$ 6,852.15	\$ 7,194.76	\$ 7,554.50	\$ 7,932.23	\$ 8,328.84
Police Officer—Intermediate POST	\$ 7,023.45	\$ 7,374.62	\$ 7,743.35	\$ 8,130.52	\$ 8,537.05
Police Officer—Advanced POST	\$ 7,194.76	\$ 7,554.50	\$ 7,932.23	\$ 8,328.84	\$ 8,745.28
Police Officer Recruit	\$ 5,343.41	n/a	n/a	n/a	n/a
Police Sergeant	\$ 8,778.39	\$ 9,217.31	\$ 9,678.18	\$ 10,162.09	\$ 10,670.19
Police Sergeant—Advanced POST	\$ 8,997.85	\$ 9,447.74	\$ 9,920.13	\$ 10,416.14	\$ 10,936.95
Police Sergeant—Supervisory POST	\$ 9,217.31	\$ 9,678.18	\$ 10,162.09	\$ 10,670.19	\$ 11,203.70
Public Safety Dispatcher	\$ 5,343.41	\$ 5,610.58	\$ 5,891.11	\$ 6,185.67	\$ 6,494.95
Public Safety Dispatcher—EMD	\$ 5,393.41	\$ 5,663.08	\$ 5,946.24	\$ 6,243.56	\$ 6,555.73
Public Safety Dispatcher w/Longevity	\$ 5,610.58	\$ 5,891.11	\$ 6,185.67	\$ 6,494.95	\$ 6,819.70
Public Safety Dispatcher—EMD w/Longevity	\$ 5,660.58	\$ 5,943.61	\$ 6,240.80	\$ 6,552.84	\$ 6,880.48
Public Safety Lead Dispatcher	\$ 5,891.11	\$ 6,185.67	\$ 6,494.95	\$ 6,819.70	\$ 7,160.69
Public Safety Lead Dispatcher—EMD	\$ 5,941.11	\$ 6,238.17	\$ 6,550.08	\$ 6,877.59	\$ 7,221.47
Public Safety Lead Dispatcher w/Longevity	\$ 6,185.67	\$ 6,494.95	\$ 6,819.70	\$ 7,160.69	\$ 7,518.72
Public Safety Lead Dispatcher—EMD —w/Longevity	\$ 6,235.67	\$ 6,547.45	\$ 6,874.83	\$ 7,218.58	\$ 7,579.50
Senior Property Evidence Specialist	\$ 7,160.69	\$ 7,518.72	\$ 7,894.66	\$ 8,289.39	\$ 8,703.86
Senior Property Evidence Specialist—EMD	\$ 7,210.69	\$ 7,571.22	\$ 7,949.79	\$ 8,347.28	\$ 8,764.64
Senior Property Evidence Specialist —w/Longevity	\$ 7,518.72	\$ 7,894.66	\$ 8,289.39	\$ 8,703.86	\$ 9,139.05
Senior Property Evidence Specialist—EMD —w/Longevity	\$ 7,568.72	\$ 7,947.16	\$ 8,344.52	\$ 8,761.75	\$ 9,199.83

All other provisions of the 2021-2024 MOU shall remain in full force and effect.

Atascadero Police Association

Date: _____
By: _____
APA

Date: _____
By: _____
APA

Date: _____
By: _____
APA

Date: _____
By: _____
APA

City of Atascadero

Date: _____
By: _____
Rachelle Rickard, City Manager

Date: _____
By: _____
Heather Moreno, Mayor

Side Letter of Agreement

**City of Atascadero
And
Atascadero Professional Firefighters Local 3600**

June 13, 2023

Pursuant to the provisions of the Meyers-Milias-Brown Act (“MMBA”), and Sections 1.4.b and 6.2 of the Memorandum of Understanding (“MOU”) between the City of Atascadero (“City”) and the Atascadero Professional Firefighters Local 3600 (“Association”) effective July 1, 2021 through June 30, 2024 (“MOU”), this Side Letter of Agreement (“Side Letter Agreement”) is entered into on June 13, 2023, between the City and the Association as an amendment to the MOU. The Association and the City are collectively referred to herein as the “parties.” It is understood and agreed that the specific provisions contained in this Side Letter Agreement shall supersede any previous agreements, whether oral and written, regarding the matters contained herein. Except as provided herein, all wages, hours and other terms and conditions of employment presently enjoyed by the Association in the MOU shall remain in full force and effect.

The City and Association have met and conferred in good faith concerning the terms and conditions of this Side Letter Agreement and its implementation and agree to the following:

SECTION 2.1 SALARY Year 3, shall be amended as follows:

Year 3 - Effective July 1, 2023, all positions covered under this MOU shall receive a ~~3.5%~~ 6.5% (~~three point five percent~~ six point five percent) salary increase to base pay. The following monthly salaries are effective July 1, 2023:

MONTHLY SALARY
Effective July 1, 2023

CLASSIFICATION	RANGE	STEP A	STEP B	STEP C	STEP D	STEP E
Fire Captain	F41	8,174.21	8,582.92	9,012.07	9,462.67	9,935.80
Fire Captain Specialist I	F41-1	8,255.95	8,668.75	9,102.19	9,557.30	10,035.17
Fire Captain Specialist II	F41-2	8,337.69	8,754.57	9,192.30	9,651.92	10,134.52
Fire Captain/Paramedic	F41-10	8,991.63	9,441.21	9,913.27	10,408.93	10,929.38
Fire Captain/Paramedic/Specialist I	F41-11	9,073.37	9,527.04	10,003.39	10,503.56	11,028.74
Fire Captain/Paramedic/Specialist II	F41-12	9,155.12	9,612.88	10,093.52	10,598.20	11,128.11
Fire Engineer	F34	6,893.06	7,237.71	7,599.60	7,979.58	8,378.56
Fire Engineer Specialist I	F34-1	6,961.99	7,310.09	7,675.59	8,059.37	8,462.34
Fire Engineer Specialist II	F34-2	7,030.92	7,382.47	7,751.59	8,139.17	8,546.13
Fire Engineer/OIC	F34-2	7,030.92	7,382.47	7,751.59	8,139.17	8,546.13
Fire Engineer/OIC/Specialist I	F34-3	7,099.85	7,454.84	7,827.58	8,218.96	8,629.91
Fire Engineer/OIC/Specialist II	F34-4	7,168.78	7,527.22	7,903.58	8,298.76	8,713.70
Fire Engineer/Paramedic	F34-10	7,582.37	7,961.49	8,359.56	8,777.54	9,216.42
Fire Engineer/Paramedic/OIC	F34-12	7,720.23	8,106.24	8,511.55	8,937.13	9,383.99
Fire Engineer/Paramedic/OIC/Specialist I	F34-13	7,789.16	8,178.62	8,587.55	9,016.93	9,467.78
Fire Engineer/Paramedic/OIC/Specialist II	F34-14	7,858.09	8,250.99	8,663.54	9,096.72	9,551.56
Fire Engineer/Paramedic/Specialist I	F34-11	7,651.30	8,033.87	8,435.56	8,857.34	9,300.21
Fire Engineer/Paramedic/Specialist II	F34-12	7,720.23	8,106.24	8,511.55	8,937.13	9,383.99
Firefighter	F31	6,404.70	6,724.94	7,061.19	7,414.25	7,784.96
Firefighter Specialist I	F31-1	6,468.75	6,792.19	7,131.80	7,488.39	7,862.81
Firefighter Specialist II	F31-2	6,532.79	6,859.43	7,202.40	7,562.52	7,940.65
Firefighter/FEO	F31-2	6,532.79	6,859.43	7,202.40	7,562.52	7,940.65
Firefighter/FEO/Specialist I	F31-3	6,596.84	6,926.68	7,273.01	7,636.66	8,018.49
Firefighter/FEO/Specialist II	F31-4	6,660.89	6,993.93	7,343.63	7,710.81	8,096.35
Firefighter/Paramedic	F31-10	7,045.17	7,397.43	7,767.30	8,155.67	8,563.45
Firefighter/Paramedic/FEO	F31-12	7,173.26	7,531.92	7,908.52	8,303.95	8,719.15
Firefighter/Paramedic/FEO/Specialist I	F31-13	7,237.31	7,599.18	7,979.14	8,378.10	8,797.01
Firefighter/Paramedic/FEO/Specialist II	F31-14	7,301.36	7,666.43	8,049.75	8,452.24	8,874.85
Firefighter/Paramedic/Specialist I	F31-11	7,109.22	7,464.68	7,837.91	8,229.81	8,641.30
Firefighter/Paramedic/Specialist II	F31-12	7,173.26	7,531.92	7,908.52	8,303.95	8,719.15

MONTHLY SALARY
Effective July 1, 2023

CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
Firefighter	—6,224.28	—6,535.49	—6,862.26	—7,205.37	—7,565.64
Firefighter-Specialist I	—6,286.52	—6,600.85	—6,930.89	—7,277.43	—7,641.30
Firefighter-Specialist II	—6,348.77	—6,666.21	—6,999.52	—7,349.50	—7,716.98
Firefighter/FEO	—6,348.77	—6,666.21	—6,999.52	—7,349.50	—7,716.98
Firefighter/FEO/Specialist I	—6,411.01	—6,731.56	—7,068.14	—7,421.55	—7,792.63
Firefighter/FEO/Specialist II	—6,473.25	—6,796.91	—7,136.76	—7,493.60	—7,868.28
Firefighter/Paramedic	—6,846.71	—7,189.05	—7,548.50	—7,925.93	—8,322.23
Firefighter/Paramedic/Specialist I	—6,908.95	—7,254.40	—7,617.12	—7,997.98	—8,397.88
Firefighter/Paramedic/Specialist II	—6,971.19	—7,319.75	—7,685.74	—8,070.03	—8,473.53
Firefighter/Paramedic/FEO	—6,971.19	—7,319.75	—7,685.74	—8,070.03	—8,473.53
Firefighter/Paramedic/FEO/Specialist I	—7,033.44	—7,385.11	—7,754.37	—8,142.09	—8,549.19
Firefighter/Paramedic/FEO/Specialist II	—7,095.68	—7,450.46	—7,822.98	—8,214.13	—8,624.84
Fire Engineer	—6,698.88	—7,033.82	—7,385.51	—7,754.79	—8,142.53
Fire Engineer-Specialist I	—6,765.87	—7,104.16	—7,459.37	—7,832.34	—8,223.96
Fire Engineer-Specialist II	—6,832.86	—7,174.50	—7,533.23	—7,909.89	—8,305.38
Fire Engineer/OIC	—6,832.86	—7,174.50	—7,533.23	—7,909.89	—8,305.38
Fire Engineer/OIC/Specialist I	—6,899.85	—7,244.84	—7,607.08	—7,987.43	—8,386.80
Fire Engineer/OIC/Specialist II	—6,966.84	—7,315.18	—7,680.94	—8,064.99	—8,468.24
Fire Engineer/Paramedic	—7,368.77	—7,737.21	—8,124.07	—8,530.27	—8,956.78
Fire Engineer/Paramedic/Specialist I	—7,435.76	—7,807.55	—8,197.93	—8,607.83	—9,038.22
Fire Engineer/Paramedic/Specialist II	—7,502.75	—7,877.89	—8,271.78	—8,685.37	—9,119.64
Fire Engineer/Paramedic/OIC	—7,502.75	—7,877.89	—8,271.78	—8,685.37	—9,119.64
Fire Engineer/Paramedic/OIC/Specialist I	—7,569.73	—7,948.22	—8,345.63	—8,762.91	—9,201.06
Fire Engineer/Paramedic/OIC/Specialist II	—7,636.72	—8,018.56	—8,419.49	—8,840.46	—9,282.48
Fire Captain	—7,943.92	—8,341.12	—8,758.18	—9,196.09	—9,655.89
Fire Captain-Specialist I	—8,023.36	—8,424.53	—8,845.76	—9,288.05	—9,752.45
Fire Captain-Specialist II	—8,102.80	—8,507.94	—8,933.34	—9,380.01	—9,849.01
Fire Captain/Paramedic	—8,738.31	—9,175.23	—9,633.99	—10,115.69	—10,621.47
Fire Captain/Paramedic/Specialist I	—8,817.75	—9,258.64	—9,721.57	—10,207.65	—10,718.03
Fire Captain/Paramedic/Specialist II	—8,897.19	—9,342.05	—9,809.15	—10,299.61	—10,814.59

All other provisions of the 2021-2024 MOU shall remain in full force and effect.

APF Local 3600

City of Atascadero

Date: _____
By: _____
APF

Date: _____
By: _____
Rachelle Rickard, City Manager

Date: _____
By: _____
APF

Date: _____
By: _____
Heather Moreno, Mayor

Side Letter of Agreement

**City of Atascadero
 And
 Mid Management/Professional Employees Association**

June 13, 2023

Pursuant to the provisions of the Meyers-Milias-Brown Act (“MMBA”), and Sections 1.4.b and 6.2 of the Memorandum of Understanding (“MOU”) between the City of Atascadero (“City”) and the Mid Management/Professional Employees Association (“Association”) effective July 1, 2021 through June 30, 2024 (“MOU”), this Side Letter of Agreement (“Side Letter Agreement”) is entered into on June 13, 2023, between the City and the Association as an amendment to the MOU. The Association and the City are collectively referred to herein as the “parties.” It is understood and agreed that the specific provisions contained in this Side Letter Agreement shall supersede any previous agreements, whether oral and written, regarding the matters contained herein. Except as provided herein, all wages, hours and other terms and conditions of employment presently enjoyed by the Association in the MOU shall remain in full force and effect.

The City and Association have met and conferred in good faith concerning the terms and conditions of this Side Letter Agreement and its implementation and agree to the following:

SECTION 2.1 SALARY, Year 3 shall be amended as follows:

Year 3 - Effective July 1, 2023, all positions covered under this MOU shall receive a ~~3.5%~~ 6.5% (~~three point five percent~~ six point five percent) COLA salary increase. The following monthly salaries are effective July 1, 2023:

MONTHLY SALARY						
Effective July 1, 2023						
CLASSIFICATION	RANGE	STEP A	STEP B	STEP C	STEP D	STEP E
Associate Civil Engineer/Storm Water Manager	37	7,420.40	7,791.42	8,180.99	8,590.04	9,019.54
Associate Civil Engineer - Registered Engineer	41	8,180.99	8,590.04	9,019.54	9,470.52	9,944.05
Public Works Operations Manager	38	7,605.91	7,986.21	8,385.52	8,804.80	9,245.04
Recreation Supervisor	28	5,959.43	6,257.40	6,570.27	6,898.78	7,243.72

MONTHLY SALARY
Effective July 1, 2023

CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
Associate Civil Engineer/Storm Water -Manager	-7,211.40	-7,571.97	-7,950.57	-8,348.10	-8,765.51
Associate Civil Engineer - Registered -Engineer	-7,950.57	-8,348.10	-8,765.51	-9,203.79	-9,663.98
Public Works Operations Manager	-7,391.61	-7,761.19	-8,149.25	-8,556.71	-8,984.55
Recreation Supervisor	-5,791.59	-6,081.17	-6,385.23	-6,704.49	-7,039.71

All other provisions of the 2021-2024 MOU shall remain in full force and effect.

**Mid Management/Professional
Employees**

Date: _____

By: _____

Date: _____

By: _____

City of Atascadero

Date: _____

By: _____

Rachelle Rickard, City
Manager

Date: _____

By: _____

Heather Moreno, Mayor

Side Letter of Agreement

**City of Atascadero
And
Local 620 Service Employees International Union Atascadero Chapter**

June 13, 2023

Pursuant to the provisions of the Meyers-Milias-Brown Act (“MMBA”), and Sections 1.4.b and 6.2 of the Memorandum of Understanding (“MOU”) between the City of Atascadero (“City”) and the Local 620 Service Employees International Union Atascadero Chapter (“Union”) effective July 1, 2021 through June 30, 2024 (“MOU”), as amended by Side Letters dated 09/28/21 and 9/14/22, this Side Letter of Agreement (“Side Letter Agreement”) is entered into on June 13, 2023, between the City and the Union as an amendment to the MOU. The Union and the City are collectively referred to herein as the “parties.” It is understood and agreed that the specific provisions contained in this Side Letter Agreement shall supersede any previous agreements, whether oral and written, regarding the matters contained herein. Except as provided herein, all wages, hours and other terms and conditions of employment presently enjoyed by the Union in the MOU shall remain in full force and effect.

The City and Union have met and conferred in good faith concerning the terms and conditions of this Side Letter Agreement and its implementation and agree to the following:

SECTION 4.1 SALARY Year 3, shall be amended as follows:

Year 3 - Effective July 1, 2023, all positions covered under this MOU shall receive a ~~3.5%~~ 6.5% (~~three point five percent~~ six point five percent) salary increase. The following monthly salaries become effective July 1, 2023:

ITEM NUMBER:

A-3

DATE:

6/13/23

ATTACHMENT:

4

MONTHLY SALARY

Effective July 1, 2023

CLASSIFICATION	RANGE	STEP A	STEP B	STEP C	STEP D	STEP E
Account Clerk II	13	4,131.96	4,338.56	4,555.49	4,783.26	5,022.42
Administrative Assistant	20	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
Assistant Planner	26	5,675.66	5,959.44	6,257.41	6,570.28	6,898.79
Associate Planner	31	6,410.02	6,730.52	7,067.05	7,420.40	7,791.42
Building Inspector I	25	5,537.22	5,814.08	6,104.78	6,410.02	6,730.52
Building Permit Technician	16	4,447.03	4,669.38	4,902.85	5,147.99	5,405.39
Code Enforcement Officer	25	5,537.22	5,814.08	6,104.78	6,410.02	6,730.52
Finance Technician	21	5,022.42	5,273.54	5,537.22	5,814.08	6,104.78
Inspector	22	5,147.99	5,405.39	5,675.66	5,959.44	6,257.41
Lead Maintenance Worker	19	4,783.26	5,022.42	5,273.54	5,537.22	5,814.08
Lead Zookeeper	18	4,669.38	4,902.85	5,147.99	5,405.39	5,675.66
Maintenance Worker I	9	3,747.81	3,935.20	4,131.96	4,338.56	4,555.49
Maintenance Worker II	15	4,338.56	4,555.49	4,783.26	5,022.42	5,273.54
Network Analyst	30	6,257.41	6,570.28	6,898.79	7,243.73	7,605.92
Office Assistant II	10	3,841.51	4,033.59	4,235.27	4,447.03	4,669.38
Office Assistant III	13	4,131.96	4,338.56	4,555.49	4,783.26	5,022.42
Public Works Inspector	27	5,814.08	6,104.78	6,410.02	6,730.52	7,067.05
Recreation Coordinator	20	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
Senior Building Inspector	35	7,067.05	7,420.40	7,791.42	8,180.99	8,590.04
Senior Planner	37	7,420.40	7,791.42	8,180.99	8,590.04	9,019.54
Systems Administrator III	35	7,067.05	7,420.40	7,791.42	8,180.99	8,590.04
Technical Support Specialist II	20	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
Website and Social Media Technician	20	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
WWTP Operator I	18	4,669.38	4,902.85	5,147.99	5,405.39	5,675.66
WWTP Operator II	24	5,405.39	5,675.66	5,959.44	6,257.41	6,570.28
WWTP Operator in Training	11	3,935.20	4,131.96	4,338.56	4,555.49	4,783.26
Zoo Education Curator	9	3,747.81	3,935.20	4,131.96	4,338.56	4,555.49
Zoo Supervisor	20	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
Zookeeper I	9	3,747.81	3,935.20	4,131.96	4,338.56	4,555.49

Local 620 SEIU Atascadero Chapter

City of Atascadero

Date: _____
By: _____
SEIU

Date: _____
By: _____
Rachelle Rickard, City Manager

Date: _____
By: _____
SEIU

Date: _____
By: _____
Heather Moreno, Mayor

Date: _____
By: _____
SEIU

Date: _____
By: _____
SEIU

DRAFT RESOLUTION

**RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ATASCADERO, CALIFORNIA, ESTABLISHING
THE COMPENSATION AND BENEFIT PLAN FOR
NON-REPRESENTED PROFESSIONAL AND MANAGEMENT
WORKERS AND CONFIDENTIAL EMPLOYEES,
EFFECTIVE JULY 1, 2023 – JUNE 30, 2024**

WHEREAS, the Government Code of the State of California prescribes a procedure for discussing and resolving matters regarding wages, hours and other terms and conditions of employment; and

WHEREAS, the City Personnel System Rules provided for a Compensation Plan; and

WHEREAS, the City desires to set forth salaries and benefits for Non-Represented Professional and Management workers and Confidential employees; and

WHEREAS, the City Council adopted Resolution 2021-067 on September 28, 2021, establishing the compensation and benefit plan for Non-Represented Professional and Management workers and Confidential employees.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Atascadero that all prior Resolutions for Non-Represented employees are repealed; and the Professional and Management Workers and Confidential Employees Compensation and Benefit Plan is hereby established as follows:

Positions

The following positions are included in this Resolution. The City Manager and Department Heads have individual employment agreements defining other terms and conditions of employment not described herein.

Executive Management Positions

Administrative Services Director
Deputy City Manager
City Manager
Community Development Director
Fire Chief
Police Chief
Public Works Director

Management Positions

Battalion Chief
 Deputy Administrative Services Director
 Deputy Community Development Director
 Deputy Community Development Director/Building Official/Economic Development Director
 Deputy Public Works Director
 Human Resources Manager
 Police Commander
 Public Works Analyst
 Zoo Director

Confidential (Includes only designated positions within the classifications)

Accounting Specialist
 Administrative Assistant
 Finance Technician

Salaries

This one (1) year agreement shall provide salary increases according to the following formula and schedule:

Effective July 1, 2023, ~~all~~ employees covered under this MOU shall receive a ~~6.53.5%~~ (three six point five percent) COLA salary increase. The following monthly salaries are effective July 1, 2023:

MONTHLY SALARY
Effective July 1, 2023

CLASSIFICATION	RANGE	STEP A	STEP B	STEP C	STEP D	STEP E
Accounting Specialist – Confidential	26	—5,515.80	—5,791.59	—6,081.17	—6,385.23	—6,704.49
Administrative Assistant – Confidential	22	—5,002.99	—5,253.14	—5,515.80	—5,791.59	—6,081.17
Administrative Services Director	M57	—11,937.38	—12,534.25	—13,160.96	—13,819.01	—14,509.96
Battalion Chief	M50	—10,066.43	—10,569.75	—11,098.24	—11,653.15	—12,235.81
City Manager	M69	—15,997.23	—16,797.09	—17,636.94	—18,518.79	—19,444.73
Community Development Director	M57	—11,937.38	—12,534.25	—13,160.96	—13,819.01	—14,509.96
Deputy Administrative Services Director	M46	—9,130.55	—9,587.08	—10,066.43	—10,569.75	—11,098.24
Deputy City Manager	M48	—9,587.08	—10,066.43	—10,569.75	—11,098.24	—11,653.15
Deputy Community Development Director	M46	—9,130.55	—9,587.08	—10,066.43	—10,569.75	—11,098.24
Deputy Community Development – Director / Building Official / Economic – Development Director	M51	—10,311.95	—10,827.55	—11,368.93	—11,937.38	—12,534.25
Deputy Public Works Director	M46	—9,130.55	—9,587.08	—10,066.43	—10,569.75	—11,098.24
Finance Technician – Confidential	22	—5,002.99	—5,253.14	—5,515.80	—5,791.59	—6,081.17
Fire Chief	M60	—12,847.60	—13,489.98	—14,164.48	—14,872.70	—15,616.34
Information Technology Manager	M43	—8,483.67	—8,907.85	—9,353.24	—9,820.90	—10,311.95
Personnel Specialist – Confidential	28	—5,791.59	—6,081.17	—6,385.23	—6,704.49	—7,039.71
Police Chief	M60	—12,847.60	—13,489.98	—14,164.48	—14,872.70	—15,616.34
Police Commander	M50	—10,066.43	—10,569.75	—11,098.24	—11,653.15	—12,235.81
Public Works Analyst	M39	—7,694.94	—8,079.69	—8,483.67	—8,907.85	—9,353.24
Public Works Director	M57	—11,937.38	—12,534.25	—13,160.96	—13,819.01	—14,509.96
Zoo Director	M39	—7,694.94	—8,079.69	—8,483.67	—8,907.85	—9,353.24

MONTHLY SALARY
Effective July 1, 2023

CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
Accounting Specialist- Confidential	5,675.66	5,959.44	6,257.41	6,570.28	6,898.79
Administrative Assistant- Confidential	5,147.99	5,405.39	5,675.66	5,959.44	6,257.41
Administrative Services Director	12,290.67	12,905.20	13,550.46	14,227.98	14,939.38
Battalion Chief	10,358.19	10,876.10	11,419.91	11,990.91	12,590.46
City Manager	18,030.35	18,931.87	19,878.46	20,872.38	21,916.00
Community Development Director	12,290.67	12,905.20	13,550.46	14,227.98	14,939.38
Deputy Administrative Services Director	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Deputy City Manager	9,864.94	10,358.19	10,876.10	11,419.91	11,990.91
Deputy Community Development Director	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Deputy Community Development Director / Building Official / Economic Development Director	10,617.14	11,148.00	11,705.40	12,290.67	12,905.20
Deputy Public Works Director	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Finance Technician- Confidential	5,147.99	5,405.39	5,675.66	5,959.44	6,257.41
Fire Chief	13,219.98	13,880.98	14,575.03	15,303.78	16,068.97
Human Resources Manager	7,010.83	7,361.37	7,729.44	8,115.91	8,521.71
Police Chief	13,219.98	13,880.98	14,575.03	15,303.78	16,068.97
Police Commander	10,358.19	10,876.10	11,419.91	11,990.91	12,590.46
Public Works Analyst	7,922.68	8,318.81	8,734.75	9,171.49	9,630.06
Public Works Director	12,290.67	12,905.20	13,550.46	14,227.98	14,939.38
Zoo Director	7,922.68	8,318.81	8,734.75	9,171.49	9,630.06

Work Period

The normal work period for non-exempt employees shall be seven (7) days with a maximum non-overtime of forty (40) hours.

Overtime Rate

Overtime for non-exempt employees, shall be compensated at the rate of time and one-half the regular rate of pay. All overtime shall be recorded and paid in the following manner:

- 1 to 15 minutes, overtime compensation – ¼ hour
- 16 to 30 minutes, overtime compensation – ½ hour
- 31 to 45 minutes, overtime compensation – ¾ hour
- 46 to 60 minutes, overtime compensation – 1 hour

Overtime Hours Paid

Overtime for non-exempt employees shall be paid after forty (40) hours worked in a work period. Paid time off shall be considered time worked for overtime purposes.

Schools/Training/Conferences

Hours traveling, studying, or evening classes, etc., when a non-exempt employee is attending an out-of-town school shall be paid in accordance with all FLSA provisions.

Compensatory Time (CT)

Notwithstanding the provisions of this section, non-exempt employees may be granted CT for overtime credit computed at time and one-half at the mutual convenience of the City and the employee. Non-exempt employees may accumulate a maximum of one hundred and twenty (120) hours in their CT account.

Scheduling Compensatory Time

Requests to use CT shall be granted with due regard for operational necessity such as staffing levels.

Deferred Compensation

The City will match an eligible employee's contribution to a deferred compensation program. The match will be up to a maximum of \$1,000 annually for executive management employees and \$500 annually for management employees. All deferred compensation contributions are fully vested in the employee and shall not be available to the City.

Longevity Exclusively as Section 457 Contribution

- a. For those active employees that have attained 10 years of continuous full time employment, the City, consistent with sections (b) through (f) below, shall deposit funds into a separate deferred compensation plan Section 457 account for each employee in the following amounts:
 - i. Fiscal Year 2021-2022: \$50 for each whole year of continuous full-time employment with the City
 - ii. After July 1, 2022: \$100 per year for each whole year of continuous full-time employment with the City
- b. Only employees who have received an overall rating of "satisfactory" or better on their last evaluation on file will be eligible for the longevity 457 contribution.
- c. Whole years of full time employment shall be determined on September 1st of each year for each active employee.
- d. Fractions of a year will be rounded down to the nearest whole year.
- e. For Fiscal Year 2021-2022, deposit into the deferred compensation account shall be made in one lump sum no later than 60 days after execution of this MOU. Thereafter, deposit into the deferred compensation account shall be made in one lump sum annually no later than the second pay period in September.
- f. Based on title 2 of the California Code of Regulations Section 571, the annual City deferred contribution for longevity into the separate deferred compensation plan, will not be considered special compensation, will not be reported to CalPERS as compensation and will not be considered as compensation when calculating an employee's retirement benefits. In the event that CalPERS at some time in the future determines that the longevity Section 457

Contribution meets the definition of “Special Compensation”, both parties agree to reopen negotiations related to the financial impacts and implementation of this issue.

Health Benefits

1. Effective January 1, 2023~~4~~, for unit members who elect to have “Family” coverage, the City shall pay an amount not to exceed ~~\$2,035.57~~\$2,156.19 per month for employees electing Family coverage. The City contribution shall go toward the cost of all medical, dental, vision and life insurance benefit premiums for the unit member employee and dependents. City shall pay for increased costs to medical, dental, vision and life insurance premiums for the employee and fifty percent (50%) of increased costs for dependents based upon HMO plan costs.
2. Effective January 1, 2023~~4~~, for unit members who elect to have “Employee +1” coverage, the City shall pay an amount not to exceed ~~\$1,513.88~~\$1,607.23 per month for employees electing Employee +1 coverage. The City contribution shall go toward the cost of all medical, dental, vision and life insurance benefit premiums for the unit member employee and dependent. City shall pay for increased costs to medical, dental, vision and life insurance premiums for the employee and fifty percent (50%) of increased costs for the dependent based upon HMO plan costs.
3. Effective January 1, 2023~~4~~, for unit members who elect to have “Employee Only” coverage, the City shall pay amount not to exceed ~~\$1,076.83~~\$1,216.16 per month for employees electing Employee Only coverage. The City contribution shall go toward the cost of all medical, dental, vision and life insurance benefit premiums for the unit member employee for the term of this agreement. City shall pay for increased costs to medical, dental, vision and life insurance premiums for the employee based upon the HMO plan costs.

For unit members who elect to have “Employee Only” coverage, available funds remaining from the City’s contribution toward insurance coverage shall be paid to an employee hired on or before September 1, 2000 as additional compensation. This amount shall not exceed \$240.56 per month.

4. The City of Atascadero has established a Post Retirement Health Benefit for Executive Management and Council. The City agrees to reimburse the retiree for retiree and/or retiree’s dependent health (medical/dental/vision) insurance premiums, disability insurance, long-term health care or life insurance premiums in a method determined by the Administrative Services Director following retirement.

The program parameters are:

- The benefit is available upon retirement from PERS or other similar retirement program after age 50; and
- The employee must have served for a minimum of 8 years with the City of Atascadero, (Council serving consecutive full terms totaling 8 consecutive years shall be eligible regardless of swear in dates); and
- For employees hired after July 1, 2016 the employee must begin drawing retirement within 6 months of separating from the City of Atascadero; and
- The benefit extends between the date of retirement and age 65; and
- The current benefit is \$200.00 monthly.

Life Insurance

The City shall provide a term life insurance policy on each employee (Executive Management, Management, Confidential and Council) in the amount of Fifty-Thousand Dollars (\$50,000).

The City shall provide a term life insurance policy for each eligible dependent of Executive Management, Management and Confidential employees enrolled in health coverage in the amount of One Thousand Dollars (\$1,000) per dependent.

Long-Term Disability Insurance

The City shall provide a City-paid program to provide Long-Term Disability Insurance for Executive Management and Management employees.

State Disability Insurance

The City provides State Disability Insurance as a payroll deduction for each employee in the Confidential classification only. State Disability Insurance shall be integrated with sick leave with the objective of providing full compensation.

Leave

Administrative Leave

Executive Management Employees, and Management Employees will receive Administrative Leave, which will vest as of July 1 annually. Except as provided below, Administrative Leave will not be carried over or accrue from one fiscal year to the next. If an employee is unable to use his/her Administrative Leave prior to the end of the fiscal year for work related reasons beyond his/her control, said leave will be carried over into the next fiscal year for a period not to exceed three (3) months. Said time will be available to the employee for use during that period, but will not be accrued for the purpose of payoff in the event of termination. In the event an employee covered by this Agreement is employed after January 1 of the fiscal year, the employee shall be eligible for one half of their annual allotment of Administrative Leave. Employees shall receive Administrative Leave at the following annual rates:

- Executive Management shall receive 80 hours.
- Management Employees shall receive 48 hours.

Vacation Leave

- a. Employees shall receive vacation leave consistent with the Personnel System Rules.
- b. In addition to the vacation leave accrued as outlined in Section 15.2 B of the City of Atascadero Personnel System Rules, employees shall receive:
 - An additional two days of vacation annually upon completing 15 years of service for a total accrual of 22 days per year or 6.77 hours per pay period; and
 - Two more days of vacation annually upon completing 20 years of service for a total

accrual of 24 days per year or 7.385 per pay period.

Holidays

The City shall recognize the following days as official City holidays:

<u>Holiday</u>	<u>Day Observed</u>
New Year's Day	January 1
Martin Luther King, Jr. Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veteran's Day	November 11
Thanksgiving Day	4th Thursday in November
Day After Thanksgiving	Friday after Thanksgiving
Christmas Eve Day	December 24
Christmas Day	December 25
"Floating" Holiday	Off As Scheduled; Accrues January 1

Each unit member employed by the City as of January 1st of each year shall be eligible for one floating holiday (8 hours). Floating holidays must have prior department approval and shall be consistent with the efficient operation of the department. The floating holiday may be used between January 1 and December 31 of each year.

Sick Leave

1. Sick leave accumulates at a rate of 3.69 hours per pay period. There is no limit to the accumulation.
2. Stay Well Bonus. Employees with 384 or more hours of accumulated sick leave shall be eligible for the Stay Well Bonus. The Stay Well Bonus will be implemented as follows:
 - a. The sick leave pay-off will occur during the twelve- (12) month period beginning the first day after the second pay period in October and ending on the last day of the second pay period in October of the following year after an employee has accumulated and maintained 384 hours of sick leave.
 - b. Once the eligibility requirements have been met, an employee may opt to receive a pay-off equal to one-third (1/3) of the unused annual allotment of sick leave. (The annual allotment is 95.94 hours).
 - c. Checks will be prepared by December 15 of each year.

3. Sick Leave Payback. When an executive management employee, a management employee or confidential employee terminates employment in good standing, after five (5) years of continuous service with the City of Atascadero in an executive management, management, or confidential position, as defined in this Resolution, he/she shall be paid one-half of his/her accumulated Sick Leave.
4. In any calendar year, up to two days (16 hours) of sick leave may be used for personal reasons without explanation. These days are not intended as vacation days and may not be used to extend vacations or holidays.

Bereavement Leave

Employees shall be granted bereavement leave pursuant to the City of Atascadero Personnel System Rules.

The City shall provide up to twenty-four (24) hours of paid bereavement leave for bereavement purposes. Bereavement purposes include (1) the death of a member of the employee's immediate family, and (2) the critical illness of a member of the employee's immediate family where death appears to be imminent. The amount of bereavement leave provided under this section is twenty four (24) hours per family member.

The employee may be required to submit proof of a relative's death or critical illness before final approval of leave is granted.

For purposes of this section, "immediate family" means: spouse or domestic partner, parent (including biological, foster, or adoptive parent, a stepparent, or a legal guardian), grandparent, grandchild, child (including biological, foster, or adopted child, a stepchild, a legal ward, a child of a domestic partner, or a child of a person standing in loco parentis), brother, sister, aunt, uncle, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, sister-in-law or significant other.

Twenty-four (24) hours of the paid absence shall be considered "bereavement leave", and any remaining time shall be from other paid time off available to the employee.

When an employee has exhausted the bereavement leave provided in this section, the employee may submit a request to his/her Department Head and request additional time off work. If approved, the employee must use their other accrued paid leave. The employee may elect which accrued paid leave he/she shall use during the additional leave. However, the employee may not use more than forty (40) hours of accrued sick leave for bereavement purposes. If the additional leave approved by the Department Head is longer than forty (40) hours, the employee is required to use accrued paid leave other than sick leave.

Retirement

CalPERS Non-Sworn Miscellaneous Members (as defined by CalPERS)

- a. Non-Sworn Miscellaneous Member employees (as defined by CalPERS) are provided retirement benefits through the California Public Employees Retirement System (CalPERS).

TIER 1

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.

TIER 2

Non-sworn Miscellaneous Member employees hired between July 14, 2012 and December 31, 2012, and Non-sworn Miscellaneous Member employees hired on or after January 1, 2013 who meet the definition of a Classic Member under CalPERS, are provided benefits pursuant to the 2% @ 55 Benefit Formula (G.C. Section 21354), Final Compensation 3 Year (G.C. Section 20037) and Unused Sick Leave Credit (G.C. Section 20965). The City will pay 2.3% (two point three percent) of the Non-sworn Miscellaneous Member employee contribution of 7% (seven percent). Non-sworn Miscellaneous Member employees will pay the remaining 4.7% (four point seven percent) of the employee contribution.

TIER 3

Pursuant to the California Public Employees' Pension Reform Act of 2013 (PEPRA), Non-sworn Miscellaneous Member employees hired on or after January 1, 2013 who meet the definition of a CalPERS new member under PEPRA are provided benefits pursuant to 2% @ 62 Benefit Formula (G.C. Section 7522.20) with Final Compensation 3 Year (G.C. Section 20037). The Non-sworn Miscellaneous Member employee will pay a member contribution rate of 50% (fifty percent) of the expected normal cost rate.

- b. The City shall provide CalPERS the Post Retirement Survivor benefit for Miscellaneous Members.
- c. Employee contributions shall be contributed to CalPERS on a pre-tax basis.

CalPERS Sworn Safety Members (as defined by CalPERS)

- a. Sworn Safety Member employees (as defined by CalPERS) are provided retirement benefits through the California Public Employees Retirement System (CalPERS).

TIER 1

Sworn Safety Member employees hired on or before July 14, 2012 are provided benefits pursuant to the 3% @ 50 Benefit Formula (Government Code Section 21362.2), Final Compensation 1 Year (G.C. Section 20042) and Unused Sick Leave Credit (G.C. Section 20965). The City will pay 0% (zero percent) of the Sworn Safety Member employee contribution of 9% (nine percent). Sworn Safety Member employees will pay the employee contribution of 9% (nine percent).

TIER 2

Sworn Safety Member employees hired between July 14, 2012 and December 31, 2012, and Sworn Safety Member employees hired on or after January 1, 2013 who meet the definition of a Classic Member under CalPERS, are provided benefits pursuant to the 3%

@ 55 Benefit Formula (G.C. Section 21363.1), Final Compensation 3 Year (G.C. Section 20037) and Unused Sick Leave Credit (G.C. Section 20965). The City will pay 0% (zero percent) of the Sworn Safety Member employee contribution of 9% (nine percent). Sworn Safety Member employees will pay the employee contribution of 9% (nine percent).

TIER 3

Pursuant to the California Public Employees' Pension Reform Act of 2013 (PEPRA), Sworn Safety Member employees including hired on or after January 1, 2013 who meet the definition of a CalPERS new member under PEPRA are provided benefits pursuant to the 2.7% @ 57 Benefit Formula (G.C. Section 7522.25(d)) with Final Compensation 3 Year (G.C. Section 20037). The Sworn Safety Member employee will pay a member contribution rate of 50% (fifty percent) of the expected normal cost rate.

- b. The CalPERS retirement for Sworn Safety Members (as defined by CalPERS) includes Level Four (4) of the 1959 Survivor's Benefit. The employees shall pay the monthly cost of the benefit.
- c. Employee contributions shall be contributed to CalPERS on a pre-tax basis.

Education Incentive Pay

Employees shall be reimbursed up to \$1,600.00 per fiscal year for books, tuition and related educational expenses for attending college or other professional training, providing the coursework is job-related, and the employee received a passing grade.

Uniform/Safety Equipment Allowance

- a. The City shall provide an annual uniform allowance of eight hundred dollars (\$800) for Police Chief and Commanders, and eight hundred fifty dollars (\$850) for the Fire Chief and Battalion Chiefs. Upon initial hire the employee will receive \$800/\$850. In the second year the amount will be prorated based upon the actual number of months employed in the prior year. When an employee separates from the City the Uniform Allowance will be prorated based upon the number of months worked in the then current fiscal year.
- b. The City will make a lump sum payment of the uniform allowance no later than the second payday in July.
- c. Uniforms damaged on duty shall be replaced as prorated by the Chiefs. Employees are required to seek reimbursement through the courts with all practical diligence.
- d. The City shall make available a bulletproof vest. Employees requesting a vest shall certify that they will wear the vest at all times, except in extreme climatic conditions. Vests shall be replaced or refurbished on an as needed basis as determined by the Chief of Police. Employees already owning a vest shall continue to use them until repair or refurbishment becomes necessary, as determined by the Chief of Police.
- e. Rain boots - The City shall comply with the requirements of CAL/OSHA as it relates to providing rain gear including rain boots.

Commitment to Fair and Reasonable Changes to the CalPERS System

The interests of the City and the employees whose positions are covered under this resolution are generally aligned: both seek fair and reasonable changes to the CalPERS system to ensure long-term sustainability of the system. Needed State-level changes acceptable to both executive management and City labor groups are most likely to be initiated by CalPERS member agencies and labor, working collaboratively.

City and the employees covered under this resolution hereby jointly commit to:

- Request state-level membership organizations (e.g., the League of California Cities, state-wide labor affiliates) to alert and engage members, to make this issue a priority, and encourage committing to a set of collaborative solutions;
- Encourage, educate, and engage peers (e.g., other cities, other labor groups) to make this issue a priority and to lend their voice to our request to state-level membership organizations;
- Jointly analyze options with an open mind as to potential solutions; and
- Other potential collaborative efforts as they arise.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ____th day of June, 2023.

On motion by _____ and seconded by _____, 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

MONTHLY SALARY
Approved June 13, 2023
Effective July 1, 2023

CLASSIFICATION	STEP A	STEP B	STEP C	STEP D	STEP E
Account Clerk II	4,131.96	4,338.56	4,555.49	4,783.26	5,022.42
Accounting Specialist- Confidential	5,675.66	5,959.44	6,257.41	6,570.28	6,898.79
Administrative Assistant	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
Administrative Assistant- Confidential	5,147.99	5,405.39	5,675.66	5,959.44	6,257.41
Administrative Services Director	12,290.67	12,905.20	13,550.46	14,227.98	14,939.38
Assistant Planner	5,675.66	5,959.44	6,257.41	6,570.28	6,898.79
Associate Civil Engineer - Registered Engineer	8,180.99	8,590.04	9,019.54	9,470.52	9,944.05
Associate Civil Engineer/Storm Water Manager	7,420.40	7,791.42	8,180.99	8,590.04	9,019.54
Associate Planner	6,410.02	6,730.52	7,067.05	7,420.40	7,791.42
Battalion Chief	10,358.19	10,876.10	11,419.91	11,990.91	12,590.46
Building Inspector I	5,537.22	5,814.08	6,104.78	6,410.02	6,730.52
Building Permit Technician	4,447.03	4,669.38	4,902.85	5,147.99	5,405.39
City Manager	18,030.35	18,931.87	19,878.46	20,872.38	21,916.00
Code Enforcement Officer	5,537.22	5,814.08	6,104.78	6,410.02	6,730.52
Community Development Director	12,290.67	12,905.20	13,550.46	14,227.98	14,939.38
Community Services Officer	4,521.64	4,747.72	4,985.11	5,234.37	5,496.09
Deputy Administrative Services Director	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Deputy City Manager	9,864.94	10,358.19	10,876.10	11,419.91	11,990.91
Deputy Community Development Director	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Deputy Community Development Director / Building Official / Economic Development Director	10,617.14	11,148.00	11,705.40	12,290.67	12,905.20
Deputy Public Works Director	9,395.18	9,864.94	10,358.19	10,876.10	11,419.91
Finance Technician	5,022.42	5,273.54	5,537.22	5,814.08	6,104.78
Finance Technician- Confidential	5,147.99	5,405.39	5,675.66	5,959.44	6,257.41
Fire Captain	8,174.21	8,582.92	9,012.07	9,462.67	9,935.80
Fire Captain Specialist I	8,255.95	8,668.75	9,102.19	9,557.30	10,035.17
Fire Captain Specialist II	8,337.69	8,754.57	9,192.30	9,651.92	10,134.52
Fire Captain/Paramedic	8,991.63	9,441.21	9,913.27	10,408.93	10,929.38
Fire Captain/Paramedic/Specialist I	9,073.37	9,527.04	10,003.39	10,503.56	11,028.74
Fire Captain/Paramedic/Specialist II	9,155.12	9,612.88	10,093.52	10,598.20	11,128.11
Fire Chief	13,219.98	13,880.98	14,575.03	15,303.78	16,068.97
Fire Engineer	6,893.06	7,237.71	7,599.60	7,979.58	8,378.56
Fire Engineer Specialist I	6,961.99	7,310.09	7,675.59	8,059.37	8,462.34
Fire Engineer Specialist II	7,030.92	7,382.47	7,751.59	8,139.17	8,546.13
Fire Engineer/OIC	7,030.92	7,382.47	7,751.59	8,139.17	8,546.13
Fire Engineer/OIC/Specialist I	7,099.85	7,454.84	7,827.58	8,218.96	8,629.91
Fire Engineer/OIC/Specialist II	7,168.78	7,527.22	7,903.58	8,298.76	8,713.70
Fire Engineer/Paramedic	7,582.37	7,961.49	8,359.56	8,777.54	9,216.42
Fire Engineer/Paramedic/Specialist I	7,651.30	8,033.87	8,435.56	8,857.34	9,300.21
Fire Engineer/Paramedic/OIC	7,720.23	8,106.24	8,511.55	8,937.13	9,383.99
Fire Engineer/Paramedic/Specialist II	7,720.23	8,106.24	8,511.55	8,937.13	9,383.99
Fire Engineer/Paramedic/OIC/Specialist I	7,789.16	8,178.62	8,587.55	9,016.93	9,467.78
Fire Engineer/Paramedic/OIC/Specialist II	7,858.09	8,250.99	8,663.54	9,096.72	9,551.56
Firefighter	6,404.70	6,724.94	7,061.19	7,414.25	7,784.96
Firefighter Specialist I	6,468.75	6,792.19	7,131.80	7,488.39	7,862.81
Firefighter Specialist II	6,532.79	6,859.43	7,202.40	7,562.52	7,940.65

Firefighter/FEO	6,532.79	6,859.43	7,202.40	7,562.52	7,940.65
Firefighter/FEO/Specialist I	6,596.84	6,926.68	7,273.01	7,636.66	8,018.49
Firefighter/FEO/Specialist II	6,660.89	6,993.93	7,343.63	7,710.81	8,096.35
Firefighter/Paramedic	7,045.17	7,397.43	7,767.30	8,155.67	8,563.45
Firefighter/Paramedic/Specialist I	7,109.22	7,464.68	7,837.91	8,229.81	8,641.30
Firefighter/Paramedic/FEO	7,173.26	7,531.92	7,908.52	8,303.95	8,719.15
Firefighter/Paramedic/Specialist II	7,173.26	7,531.92	7,908.52	8,303.95	8,719.15
Firefighter/Paramedic/FEO/Specialist I	7,237.31	7,599.18	7,979.14	8,378.10	8,797.01
Firefighter/Paramedic/FEO/Specialist II	7,301.36	7,666.43	8,049.75	8,452.24	8,874.85
Human Resources Manager	7,010.83	7,361.37	7,729.44	8,115.91	8,521.71
Inspector	5,147.99	5,405.39	5,675.66	5,959.44	6,257.41
Lead Maintenance Worker	4,783.26	5,022.42	5,273.54	5,537.22	5,814.08
Lead Zookeeper	4,669.38	4,902.85	5,147.99	5,405.39	5,675.66
Maintenance Worker I	3,747.81	3,935.20	4,131.96	4,338.56	4,555.49
Maintenance Worker II	4,338.56	4,555.49	4,783.26	5,022.42	5,273.54
Network Analyst	6,257.41	6,570.28	6,898.79	7,243.73	7,605.92
Office Assistant II	3,841.51	4,033.59	4,235.27	4,447.03	4,669.38
Office Assistant III	4,131.96	4,338.56	4,555.49	4,783.26	5,022.42
Police Chief	13,219.98	13,880.98	14,575.03	15,303.78	16,068.97
Police Commander	10,358.19	10,876.10	11,419.91	11,990.91	12,590.46
Police Corporal	7,770.35	8,158.86	8,566.80	8,995.14	9,444.90
Police Corporal - Intermediate POST	7,964.61	8,362.84	8,780.98	9,220.03	9,681.03
Police Corporal- Advanced POST	8,158.86	8,566.80	8,995.14	9,444.90	9,917.15
Police Lead Records Technician	5,633.48	5,915.15	6,210.91	6,521.46	6,847.53
Police Level 3 Reserve Officer	7,047.93	7,400.33	n/a	n/a	n/a
Police Officer	7,047.93	7,400.33	7,770.35	8,158.87	8,566.81
Police Officer - Intermediate POST	7,224.13	7,585.34	7,964.61	8,362.84	8,780.98
Police Officer - Advanced POST	7,400.33	7,770.35	8,158.87	8,566.81	8,995.15
Police Officer Recruit	5,496.09	n/a	n/a	n/a	n/a
Police Sergeant	9,029.20	9,480.66	9,954.69	10,452.42	10,975.04
Police Sergeant - Advanced POST	9,254.93	9,717.68	10,203.56	10,713.74	11,249.43
Police Sergeant - Supervisory POST	9,480.66	9,954.69	10,452.42	10,975.04	11,523.79
Public Safety Dispatcher	5,496.09	5,770.89	6,059.43	6,362.40	6,680.52
Public Safety Dispatcher - EMD	5,546.09	5,823.39	6,114.56	6,420.29	6,741.30
Public Safety Dispatcher w/Longevity	5,770.89	6,059.43	6,362.40	6,680.52	7,014.55
Public Safety Dispatcher - EMD with Longevity	5,820.89	6,111.93	6,417.53	6,738.41	7,075.33
Public Safety Lead Dispatcher	6,059.43	6,362.40	6,680.52	7,014.55	7,365.28
Public Safety Lead Dispatcher - EMD	6,109.43	6,414.90	6,735.65	7,072.44	7,426.06
Public Safety Lead Dispatcher w/ Longevity	6,362.40	6,680.52	7,014.55	7,365.28	7,733.54
Public Safety Lead Dispatcher - EMD with Longevity	6,412.40	6,733.02	7,069.68	7,423.17	7,794.32
Public Works Analyst	7,922.68	8,318.81	8,734.75	9,171.49	9,630.06
Public Works Director	12,290.67	12,905.20	13,550.46	14,227.98	14,939.38
Public Works Inspector	5,814.08	6,104.78	6,410.02	6,730.52	7,067.05
Public Works Operations Manager	7,605.91	7,986.21	8,385.52	8,804.80	9,245.04
Recreation Coordinator	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
Recreation Supervisor	5,959.43	6,257.40	6,570.27	6,898.78	7,243.72
Senior Building Inspector	7,067.05	7,420.40	7,791.42	8,180.99	8,590.04
Senior Planner	7,420.40	7,791.42	8,180.99	8,590.04	9,019.54
Senior Property Evidence Specialist	7,365.28	7,733.54	8,120.22	8,526.23	8,952.54
Senior Property Evidence Specialist- EMD	7,415.28	7,786.04	8,175.35	8,584.12	9,013.32
Senior Property Evidence Specialist w/Longevity	7,733.54	8,120.22	8,526.23	8,952.54	9,400.17

Senior Property Evidence Specialist - EMD with Longevity	7,783.54	8,172.72	8,581.36	9,010.43	9,460.95
Systems Administrator III	7,067.05	7,420.40	7,791.42	8,180.99	8,590.04
Technical Support Specialist II	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
Website and Social Media Technician	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
WWTP Operator in Training	3,935.20	4,131.96	4,338.56	4,555.49	4,783.26
WWTP Operator I	4,669.38	4,902.85	5,147.99	5,405.39	5,675.66
WWTP Operator II	5,405.39	5,675.66	5,959.44	6,257.41	6,570.28
Zoo Director	7,922.68	8,318.81	8,734.75	9,171.49	9,630.06
Zoo Education Curator	3,747.81	3,935.20	4,131.96	4,338.56	4,555.49
Zoo Supervisor	4,902.85	5,147.99	5,405.39	5,675.66	5,959.44
Zookeeper I	3,747.81	3,935.20	4,131.96	4,338.56	4,555.49



Atascadero City Council

Staff Report – Public Works

Atascadero Transit Innovative Clean Transit Zero Emissions Bus Rollout Plan

RECOMMENDATION:

Council adopt Draft Resolution, approving the Innovative Clean Transit (ICT) Zero Emissions Bus Rollout Plan for Atascadero Transit.

DISCUSSION:

Background

The California Air Resources Board (CARB) has set a target to sell only zero-emission new cars, SUVs and pickup trucks by 2035. The Innovative Clean Transit (ICT) regulation requires all California public transit agencies with any fleet stock with gross vehicle weights over 14,000 pounds to gradually transition their bus fleets to zero-emission technologies by 2040. Beginning in 2026, 25% percent of Atascadero's new bus purchases must be zero-emission buses (ZEBs). The ZEB purchase requirement gradually increases over time and by 2029, 100% of all new bus purchases must be ZEBs, with a goal of complete transition to ZEBs (all buses in the Dial A Ride fleet to be ZEBs) by 2040.

The ICT Rollout Plan will allow Atascadero Transit to achieve full compliance with recent CARB and ICT legislation.

Analysis

The Atascadero Transit ICT Rollout Plan is a guidance document outlining measures the City will take to achieve a full transition to zero-emission bus technologies by 2040. It includes the components required by ICT for the transition to ZEBs, including a vehicle purchase schedule, infrastructure evaluations, potential funding sources and workforce development. Atascadero Transit has provided estimated timelines in the Rollout Plan based on currently available information for bus or van purchases, electric charging, and workforce training.

The City has traditionally purchased and operated gas-powered, 19-passenger, "cut-away" buses for Dial A Ride services. Staff is recommending purchasing 9-passenger vans for future bus replacements since there is rarely more than a few passengers on a bus at any given time. Transitioning from buses to vans has many advantages including lower replacement costs (approx. \$50,000 per vehicle), lower operating costs (fuel, maintenance, etc.), and are easier to drive and maneuver. Since the 9-passenger vans

weigh less than 14,000 pounds, the ICT regulations will no longer apply once the bus fleet stock is fully replaced. Staff recommends purchasing an electric, zero-emissions van for the next bus replacement and evaluating its performance prior to the next replacement.

The ICT states that the Rollout Plan is designed to be a living document to guide agencies in the deployment of zero-emission bus fleets. The ICT is aware that agencies will be working through many potential challenges related to evolving zero-emissions technology, infrastructure demands, and the increased cost of replacing buses. As technology, services and trends develop, the ICT allows for the Rollout Plan to be updated or revised in the future as needed.

ALTERNATIVE:

Council could take no action, but this may jeopardize future funding for Atascadero Transit.

FISCAL IMPACT:

Approving the Staff recommendations will not result in any immediate fiscal impacts, but not approving the ICT Zero Emissions Bus Rollout Plan will jeopardize future transit funding.

ATTACHMENTS:

1. Draft Resolution
2. 2023 ICT Zero Emissions Bus Rollout Plan

DRAFT RESOLUTION

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING THE
ZERO-EMISSIONS BUS ROLLOUT PLAN**

WHEREAS, the State of California Air Resources Control Board (CARB) Innovative Clean Transit (ICT) regulation became effective October 1, 2019, and requires all public transit agencies to gradually transition their eligible vehicle fleets to zero-emission technologies. T CARB ICT Zero Emissions Bus (ZEB) purchase requirements for small transit agencies begins in 2025 with a goal of complete transition to full zero emissions by 2040; and

WHEREAS, California Code of Regulations Title 13, Division 3, Chapter 1, Article 4.3, Part 2023.1(d) Zero Emissions Bus Rollout Plan Requirements requires that a transit agency Zero-Emission Bus Rollout Plan must be approved by its governing Board; and

WHEREAS, Atascadero Dial A Ride’s Zero-Emission Bus Rollout Plan sets forth the City’s plan which meets the following requirements:

- A goal of full transition to zero-emission buses by 2040 with careful planning that avoids early retirement of conventional internal combustion engine buses;
- Identification of the types of zero-emission bus technologies Atascadero Dial A Ride is planning to deploy;
- A schedule for zero-emission and conventional internal combustion engine bus purchases and lease options;
- A schedule for construction of facilities and infrastructure modifications or upgrades, required to deploy and maintain zero-emission buses;
- A training plan and schedule for zero-emission bus operators and maintenance and repair staff; and
- Identification of potential funding sources.
- FTA Zero-Emission Transition Plan.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. Dial A Ride’s Zero-Emission Bus Rollout Plan as set forth in Exhibit A, on file with City Clerk and incorporated herein by reference, is hereby approved.

SECTION 3. Insofar as the provisions of any Ordinance, Resolution, document, or previous action of the Atascadero City Council, prior to the date of this Resolution, are inconsistent with the provisions of this Resolution or any policy adopted by this Resolution, this Resolution and the Policies adopted herein shall control.

PASSED AND ADOPTED at a regular meeting of the City Council held on the _____ 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



California Air Resources Board Innovative Clean Transit (ICT) Rule

Zero Emissions Bus Rollout Plan

Atascadero Dial A Ride
City of Atascadero

(805) 470-3456
www.atascadero.org

6500 Palma Avenue
Atascadero, CA 93422

Zero-Emission Bus Rollout Plan

Atascadero Dial A Ride

Introduction

Background

Scope

Section A: Transit Agency Information

Section B: Rollout Plan General Information

Section C: Technology Portfolio

Section D: Current Bus Fleet Composition and Future Bus Purchases

Section E: Facilities and Infrastructure Modifications

Section F: Providing Service in Disadvantaged Communities

Section G: Workforce Training

Section H: Potential Funding Sources

Section I: Start-up and Scale-up Challenges

Exhibit A: Resolution

Exhibit B: Atascadero Dial – A – Ride Fares and Zone Map

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Introduction

In accordance with the California Air Resource Board’s Innovative Clean Transit (ICT) regulation, the following plan serves as Atascadero Dial A Ride’s Zero Emission Bus (ZEB) Rollout Plan to transition its bus fleet to 100% ZEB by 2040.

Background

The ICT regulation became effective October 1, 2019 and requires all public transit agencies to gradually transition their bus fleets to zero-emission technologies. The ICT regulation applies to all transit agencies that own, operate, or lease buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds. It covers standard, articulated, over-the-road, double decker, and cutaway buses. The ICT regulation requires a percentage of new bus purchases to be zero emission buses (ZEBs). The ZEB percentage increases gradually with time.

Atascadero Dial A Ride is considered a small agency by the ICT regulation’s definition.

Scope

This Rollout Plan is a living document and a guide to the implementation of Atascadero Dial A Ride’s zero-emission bus fleets. This plan provides estimated timelines based on Atascadero Dial A Ride’s Fleet Replacement Plan that aims to transition its bus fleet to all battery electric. As outlined in the ICT guidance, the following sections are included as required:

Section A: Transit Agency Information

Section B: Rollout Plan General Information

Section C: Technology Portfolio

Section D: Current Bus Fleet Composition and Future Bus Purchases

Section E: Facilities and Infrastructure Modifications

Section F: Providing Service in Disadvantaged Communities
Section G: Workforce Training
Section H: Potential Funding Sources
Section I: Start-up and Scale-up Challenges

Section A: Transit Agency Information

1. Transit agency's name and address:
Atascadero Dial A Ride
6500 Palma Avenue
Atascadero, CA 93422
2. Name of transit agency's air district(s): **San Luis Obispo County APCD**
3. Name of transit agency's air basin(s): **South Central Coast Basin-wide Air Pollution Control Council**
4. Total number of buses in Annual Maximum Service: **Two**
5. Population of the urbanized area Atascadero Dial A Ride is serving as last published by the Census Bureau before December 31, 2017: **29,709**
6. Contact information:
Nick DeBar
Director of Public Works
Email: ndebar@atascadero.org
7. Atascadero Dial A Ride is not part of a Joint Group.

ITEM NUMBER: A-4
DATE: 06/13/23
ATTACHMENT: 1A

Section B: Rollout Plan General Information

Atascadero Dial A Ride’s Rollout Plan has a goal of full transition to zero-emissions technology by 2040 that avoids early retirement of conventional cutaway buses ((13 CCR§ 023.1(d)(1){A})) and is detailed in the Fleet Replacement Plan.

The Rollout Plan and resolution has been prepared by the City staff and will go before the Atascadero City Council for approval on June 13, 2023. A copy of the Rollout Plan and resolution will be provided to CARB (13 CCR 2023.1(d)(2)) upon approval. A copy of the Atascadero City Council Resolution is attached as Exhibit A.

For any additional information regarding the Rollout Plan, please contact:

Nick DeBar
Director of Public Works
6500 Palma Avenue
Atascadero, CA 93422
(805) 470-3456
Email: ndebar@atascadero.org

Section C: Technology Portfolio

Atascadero Dial A Ride plans to deploy zero-emission buses and/or vans through 2040. The two primary viable zero emission technologies for transit agencies include battery-electric buses (BEB) and hydrogen fuel cell electric buses (FCEB). Atascadero Dial A Ride will begin a pilot program with battery electric vans in an effort to evaluate their ability to provide reliable service with the challenge of mountainous terrain and passenger efficiency. Battery electric vans are more widely available at a lower cost of acquisition and require significantly less infrastructure demands than BEBs and FCEBs. If the 18-month pilot program is successful, the fleet will be updated with battery electric vans as the current fleet of existing cutaway buses reach the end of their useful life.

Should the pilot program find the additional seating of the cutaway light-duty buses are necessary to meet ridership demands, Atascadero Dial A Ride will pursue replacement of the four existing gas cutaways with three battery electric light-duty cutaways starting in 2030 to meet the CARB requirements. The City will also be acquiring three express chargers to charge the buses overnight and during midday layovers.

Section D: Current Bus Fleet Composition and Future Bus Purchases

1. Table 1 below contains information on each individual bus in Atascadero Dial A Ride’s current bus fleet, with fuel type identified per ICT guidance.

Table 1: Individual Bus Information of Current Bus Fleet (>14,000 pounds GVW)

Number of Buses	Vehicle ID Number	Vehicle Make	Engine Model Year	Bus Model Year	Fuel Type	Bus Type	Service Type
2	AT 29 & AT 30	Ford Starcraft E-450	2017	2018	Gas	Cutaway	Demand Response
1	AT 28	Ford Starcraft E-450	2017	2017	Gas	Cutaway	Demand Response
1	AT 27	Ford Starcraft E-450	2014	2015	Gas	Cutaway	Demand Response

In the chart below, Atascadero Dial A Ride will purchase a ZEB vehicle in this category if the technology can meet our range requirements. If not, Atascadero Dial A Ride will purchase gasoline powered vehicles.

Table 2: Future Bus Purchases

Timeline (Year)	Total Number of Buses to Purchase	Number of ZEB Purchases	Percentage of Annual ZEB Purchases	ZEB Bus Type(s)	ZEB Fuel Type	Number of Conv. Bus Purchases	Percentage of Annual Conv. Bus Purchases	Type(s) of Conv. Buses	Fuel Type(s) of Conv. Buses
2023/24	1	1	100%	Van	EV	n/a	n/a	n/a	n/a
2025/26	1	0	0%	Van/Cutaway*	EV/Gas	n/a	n/a	n/a	n/a
2027/28	1	1	100%	Van	EV	n/a	n/a	n/a	n/a
2028/29	1	1	100%	Van	EV	n/a	n/a	n/a	n/a

*2025/26 will purchase either one electric van or gas cutaway depending upon the results of the pilot electric van program.

Atascadero Dial A Ride is not considering converting any conventional buses to zero-emission.

The replacement schedule was designed so that no bus retires before completing its FTA-defined economically useful life. The replacement schedule for cutaways assume each vehicle meets or exceeds FTA design life standards of 4 years or 100k miles, whichever comes first. This is consistent with current operations at the Atascadero Dial A Ride, as no demand response vehicle was forecasted to be in operation longer than 6 years. In this plan, it was assumed that demand response vehicles will last 5 years on average. Replacements will be evaluated after the pilot program of an electric powered van is introduced to our fleet and road tested for available range. The vehicle replaced in year 2025/26 will be an electric van if the pilot program is successful, or a gas powered cutaway if the pilot electric van does not meet the demands of the demand response service. Atascadero Dial A Ride's pilot program will begin in 2023/24 and we anticipate full fleet conversion to zero emission technology by 2033 depending on funding availability and other challenges.

Section E: Facilities and Infrastructure Modifications

Atascadero Dial A Ride operation includes Administration and Dispatch located at Atascadero City Hall. Vehicle Parking and Charging is and will be located off site at the Bus Barn facility location. This location is secured and not available to the public for charging. This location and charging will have the ability to fully charge these vehicles over-night to provide for full service the next day.

Table 4: Facilities Information and Construction Timeline (Required)

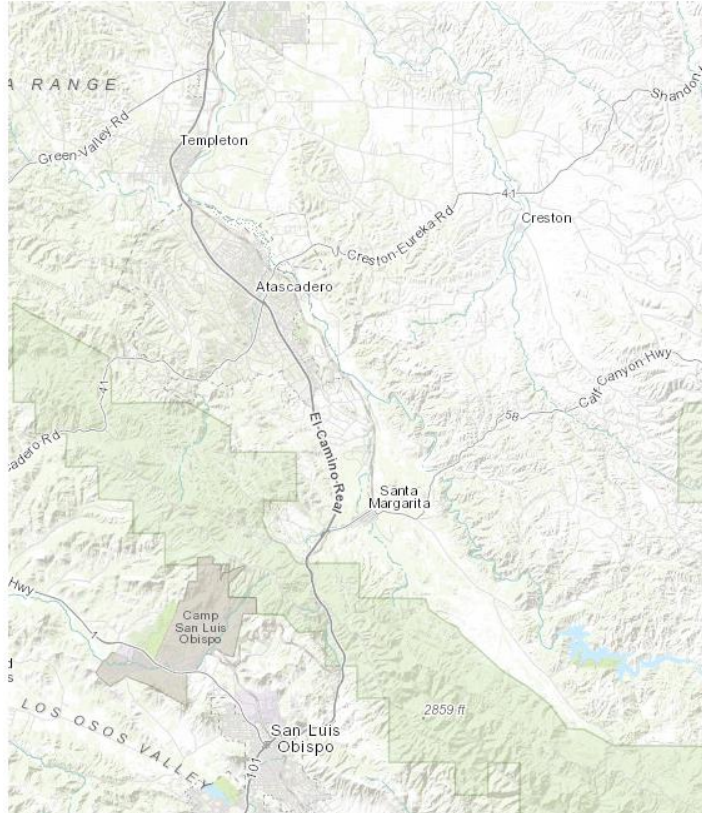
Facility Name	Address	Main Function	Types of Infrastructure	Capacity	Est. Construction	Utility Company
Dial A Ride Bus Barn	8005 Gabarda Atascadero CA	Parking & Electric Vehicle Charging	Four plug-in depot chargers will be installed	Four vans/ buses at completion	2030	PG&E

Section F: Providing Service in Disadvantaged Communities

There are no State-designated Disadvantaged Communities located in San Luis Obispo County as defined by the latest version of CalEnviroScreen.

Atascadero does not provide service to Disadvantage Communities

SB 535 Disadvantaged Communities 2022 (Census Tracts and Tribal Areas)



Section G: Workforce Training

Atascadero Dial A Ride will use the training provided by the bus and charger manufacturers for the training of bus operators and maintenance staff on zero-emission bus technologies. Additionally, Atascadero is exploring options to partner with RTA for future driver training.

Section H: Potential Funding Sources

Atascadero Dial A Ride's efforts to comply with CARB's ICT Ruling is subject to its ability to secure funding from one or more of the below mentioned sources. While we will attempt to apply for all the potential sources, it is difficult to predict how much, if any, we will be awarded in the near future and over the next two decades. It is also unclear what our chances are to receive the aforementioned funding as the entire states is in the process of transitioning to zero-emission bus fleets and California Transit Agencies are all competing for the same funds. Therefore, it becomes difficult to provide specific figures that predict our expenses and costs in the coming years. As always, Atascadero Dial A Ride will work with San Luis Obispo Regional Transit Authority (RTA) and San Luis Obispo Council of Government (SLOCOG) to pursue potential funding streams for this endeavor. It is important to note that further studies are required for infrastructure improvements, including inductive and conductive charging infrastructure and estimated costs. Below is a list of potential federal, state, and local funding sources.

Federal Sources

- Section 5307 Urbanized Area Formula Program
- Section 5339(b) Buses and Bus Facilities Competitive Program
- Section 5339(c) Low or No Emission Vehicle Program (competitive)

State & Local Sources

- Low Carbon Transit Operation Program (LCTOP)
- Caltrans State of Good Repair (SGR)
- State Transit Assistance (STA)
- Transportation Development Act (TDA)/Local Transportation Fund (LTF)
- Pacific Gas & Electric (PG&E)
- Air Pollution Control District
- Central Coast Community Energy or HVIP Programs
- Fares

Section I: Start-up and Scale-up Challenges

As advance technologies related to ZEB continue to evolve, many variables related to ZEB are unknown. It is difficult to predict what different components may look like by 2040. With enormous charging infrastructure cost and the higher price of zero-emission buses, there is a lack of funding available to meet the capital demands to meet CARB's ICT Regulation. Current funding levels only provide for small scale pilot deployments.

Atascadero Dial A Ride has identified the following potential challenges:

1. Financial Constraints
2. Geographical Area and Battery Range
3. Changes in electrical charging infrastructure
4. Availability of electric cutaway buses
5. Uncertainty of available power from electricity provider (Pacific Gas & Electric)
6. Performance of depot charger not running as promised.

SECTION J: FTA Zero-Emission Transition Plan

An FTA Zero-Emission Transition Plan must, at a minimum:

1. Demonstrate a long-term fleet management plan with a strategy for how the applicant intends to use the current request for resources and future acquisitions. (Refer to Section B: Rollout Plan General Information and Section I: Start-up and Scale-up Challenges)
2. Address the availability of current and future resources to meet costs for the transition and implementation. (Refer to ICT ZEB Rollout Plan Section H: Potential Funding Sources)
3. Consider policy and legislation impacting relevant technologies.

The Innovative Clean Transit (ICT) regulation was adopted by the California Air Resources Board in December 2018. It requires all public transit agencies to gradually transition to a 100-percent zero-emission bus fleet, and encourages us to provide innovative first- and last-mile connectivity and improve mobility for transit riders. Under the ICT regulation, small transit agencies such as the RTA must submit its governing body approved ICT ZEB Rollout Plan along with its approval to the CARB Executive Officer by July 1, 2023.

An ICT ZEB Rollout Plan describes how a transit agency is planning to achieve a full transition to zero-emission bus technologies by 2040. It includes essential elements for a smooth transition, including information on the types of zero-emission buses to be purchased, their purchase schedule, timing of their placement in Disadvantaged Communities, a schedule for related infrastructure build out, potential funding sources, and training plans.

An ICT ZEB Rollout Plan also has an informative function. It allows a transit agency to plan ahead of time and to familiarize itself with available zero-emission bus technologies before starting with purchases. It allows transit agencies to learn about potential challenges and available solutions for a smooth transition. Information gathered from the Rollout Plans will also guide the State in developing incentive funding plans, inform utilities on potential electrical and infrastructure needs, and educate the general public

on environmental benefits of zero-emission bus technologies.

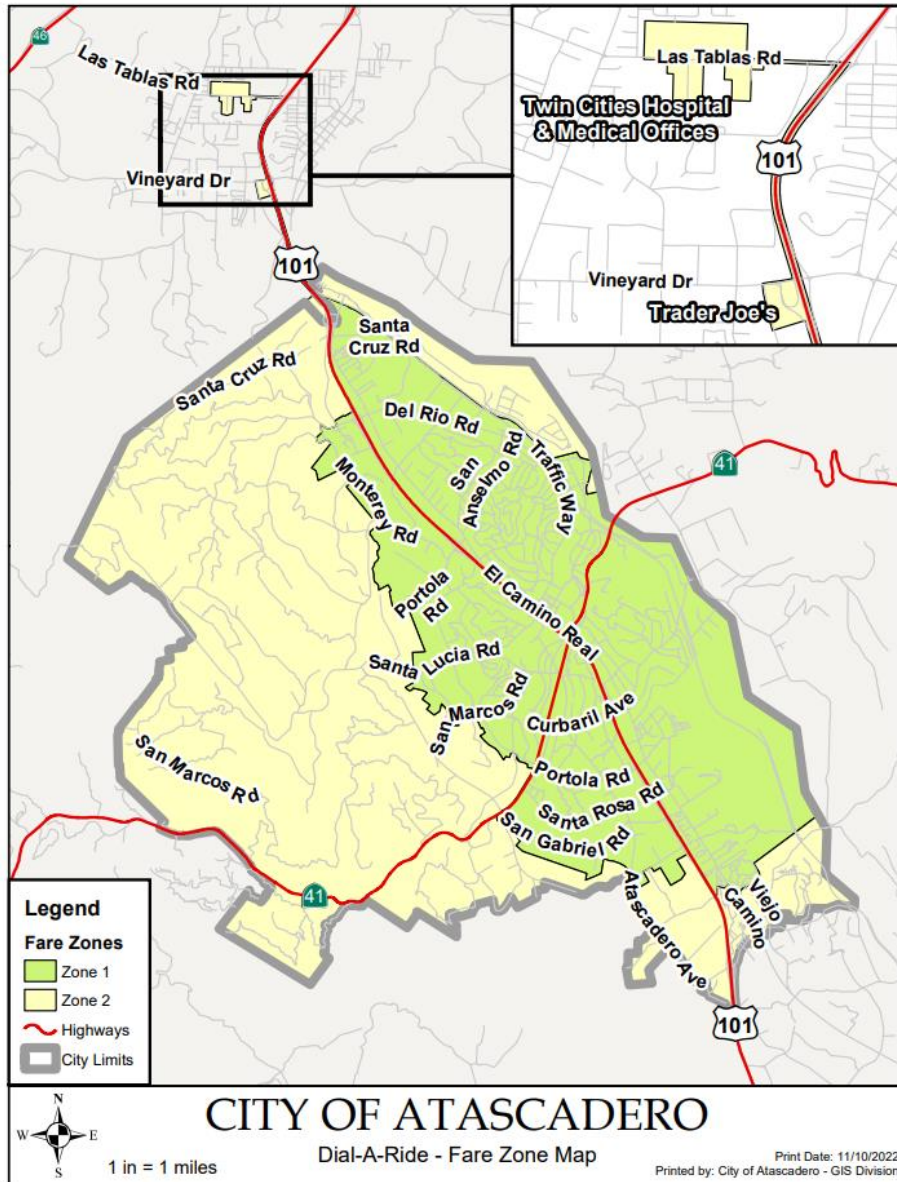
4. Include an evaluation of existing and future facilities and their relationship to the technology transition. (Refer to Section C: Technology Portfolio and Section E: Facility and Infrastructure Modifications)
5. Describe the partnership of the applicant with the utility or alternative fuel provider. In general terms, partnering with Pacific Gas and Electric, monthly electricity bills resulting from vehicle charging typically include fixed costs, energy costs, demand costs, and taxes and fees.
6. Examine the impact of the transition on the applicant's current workforce by identifying skill gaps, training needs, and retraining needs of the existing workers of the applicant to operate and maintain zero-emission vehicles and related infrastructure and avoid displacement of the existing workforce. (Refer to ICT ZEB Rollout Plan Section G: Workforce Development)

ITEM NUMBER: A-4
DATE: 06/13/23
ATTACHMENT: 1A

Exhibit A: Resolution

Exhibit B :

Atascadero Dial-A-Ride Fares & Zone Map



FARES

	<i>Zone #1</i>	<i>Zone #2</i>
<i>General</i>	\$5.00	\$8.00
<i>Discount*</i>	\$2.50	\$5.00

**Senior/Disabled and Medicare Card Holders*



Atascadero City Council

Staff Report - Public Works Department

Emergency Contract Award for Lake Fill Line

RECOMMENDATION:

Council:

1. Ratify, by review and determination, that there is a need to continue the Emergency Services Director's authorization to contract with Souza Construction Inc. to complete emergency Lake Fill Line Clearing and Repairs, pursuant to City's Purchasing Policy and Public Contract Code Section 22035 and 22050; and
2. Authorize the Director of Administrative Services to appropriate \$75,000 in Parkland Facilities Fees Funds for the Emergency Lake Fill Line Repair Project.

DISCUSSION:

The Lake Fill Line was originally constructed in the 1950's, with several repairs since that time. The City is licensed through the State Water Quality Control Board (License # 006228) to divert water from Atascadero Creek, at an inflow location near the Three Bridges Trailhead, to Atascadero Lake via an approximately 1.6 mile pipeline. The original pipeline was 14" reinforced concrete pipe, but some sections have been either replaced or lined over the past 70 years, and several access manholes have been added along the alignment.

Following the January 2023 storms, City staff recognized that the Lake Fill Line was not functioning correctly and water was being released continuously from an access manhole near San Gabriel Road. Due to the need to protect essential infrastructure and the unknown scope of repair work, the Emergency Services Director made a finding that the emergency would not permit a delay resulting from a competitive solicitation for bids, and that hiring a contractor to expose and clean the Lake Fill Line was necessary to respond to the emergency. The Emergency Services Director directed City staff to urgently contact and request a proposal from a contractor with immediate availability and experience in this type of utility repair. Souza Construction was contacted due to their recent experience doing similar work throughout the County, and close working

relationship with the only local subcontractor (Pacific Petroleum), with jetting equipment capable of clearing the lengths of pipe on this project.

After completion of the original exploratory work, it was determined that urgent repairs are needed to the pipeline at the bend near where the alignment crosses below Highway 41 and heads toward the Lake. The current configuration of the piping and lack of existing bypass valves at this location allow for water to flow back out of the Lake and into the pipeline, ultimately surfacing near San Gabriel Road. Until these repairs are made to the pipeline, temporary plugging of the Lake Fill Line (with a 5-gallon bucket) is the only measure keeping the Lake from discharging uncontrolled into Atascadero Creek.

Souza Construction has provided a cost to make the repairs identified by the City. City staff has reviewed these submitted costs and finds them to be fair for the work provided. These costs are higher than typical, since 14" pipelines are not common and components are significantly more expensive than for common sized pipe diameters.

Following completion of this repair, additional assessment work and repairs to the pipeline will be necessary to identify other pipeline storm damages and remove debris. Staff will also be evaluating locations on the pipeline to allow access for future inspections and cleaning. All additional work to the pipeline will be in accordance with the City's Purchasing Policy and the construction bid process.

City staff is also documenting all activities and costs in accordance with FEMA and California OES requirements for reimbursement of eligible costs associated with the January 2023 storms.

FISCAL IMPACT:

Estimated costs associated with this proposal for Lake Fill Line Repairs totals \$75,000.

ATTACHMENTS:

None



Atascadero City Council

Staff Report – Administrative Services Department

Apple Valley Assessment Districts

RECOMMENDATIONS:

Council:

1. Adopt Draft Resolution A, approving the final Engineer's Report regarding the Street and Storm Drain Maintenance District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto for fiscal year 2023/2024; and
2. Adopt Draft Resolution B, ordering the levy and collection of assessments for fiscal year 2023/2024 for Street and Storm Drain Maintenance District No. 01 (Apple Valley); and
3. Adopt Draft Resolution C, approving the final Engineer's Report regarding the Landscaping and Lighting District No. 01 (Apple Valley), and the levy and collection of annual assessments related thereto in fiscal year 2023/2024; and
4. Adopt Draft Resolution D, ordering the levy and collection of assessments for fiscal year 2023/2024 for Landscaping and Lighting District No. 01 (Apple Valley).

DISCUSSION:

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 Landscaping 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 reports and the levies must be approved by Council annually. This is done in a two-step process. Last month, three resolutions for each district (a total of 6 resolutions in all) were passed to begin the process of continuing the levies. At that time, the Engineer's Reports were preliminarily approved, proceedings

were initiated for the levy, and the date of tonight’s public hearing was established. The resolutions that are before the Council tonight are for the final approval of the Engineer’s Reports and for the approval of the annual levies.

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 City staff contact information for questions and comments, dates for the related Council meetings, information on how to participate in the meeting, and 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 22-23	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

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
2. Draft Resolution B
3. Engineer's Annual Levy Report - Street and Storm Drain Maintenance District No. 01 (Apple Valley)
4. Draft Resolution C
5. Draft Resolution D
6. Engineer's Annual Levy Report – Landscaping and Lighting District No. 01 (Apple Valley)

DRAFT RESOLUTION A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING THE FINAL ENGINEER’S REPORT REGARDING THE STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 01 (APPLE VALLEY), AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2023/2024

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as “City Council”), pursuant to the provisions the Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703 (hereafter referred to as the “Act”), did by previous Resolution order the Engineer, NBS, to prepare and file a report in accordance with the Act in connection with Street and Storm Drain Maintenance District No. 01 (Apple Valley) (hereafter referred to as the “District”) and the proposed levy and collection of assessments related thereto for fiscal year 2023/2024, said fiscal year starting July 1, 2023 and ending June 30, 2024; and

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Atascadero and the City Clerk has presented to the City Council such report entitled “Engineer’s Annual Levy Report for Street and Storm Drain Maintenance District No. 01 (Apple Valley), fiscal year 2023/2024” (hereafter referred to as “Engineer’s Report”) in accordance with the Act; and

WHEREAS, the City Council has carefully examined and reviewed the Engineer’s Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer’s Report.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The Engineer’s Report as presented, consists of the following:

- a) Plans and specifications that describe the District and Improvements.
- b) Method of Apportionment that outlines the special benefit conferred on properties within the District from the improvements and the calculations used to establish each parcel’s proportional special benefit assessment.
- c) The Budget that outlines the costs and expenses to service, and maintain the improvements including incidental expenses to operate the District.
- d) An Assessment Diagram that identifies the boundaries of the District.
- e) An Assessment Roll containing each of the Assessor Parcel Numbers that comprise the District and the proportional maximum assessment and the assessment for fiscal year 2023/2024.

SECTION 3. The Engineer’s Report as presented, is hereby approved, and is 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 City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the adoption and approval of the Engineer’s Report.

PASSED AND ADOPTED at a regular meeting of the City Council held on the __th day of June, 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, ORDERING THE LEVY AND
COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023/2024 FOR
STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 01
(APPLE VALLEY)**

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as City Council) has by previous Resolutions initiated proceedings to levy special benefit assessments against parcels of land within Street and Storm Drain Maintenance District No. 01 (Apple Valley) (hereafter referred to as the “District”) for the fiscal year commencing July 1, 2023 and ending June 30, 2024; 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 “Act”) to pay the costs and expenses of operation, maintenance, repair and servicing of local street right-of-way improvements and storm drain facilities related thereto; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council an Engineer’s Report in connection with the proposed levy of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution adopt and approve said Engineer’s Report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2023 and ending June 30, 2024, to pay the costs and expenses of operation, maintenance, repair and servicing of local street right-of-way improvements and storm drain facilities related thereto; and

WHEREAS, the City Council conducted in May 2005 a property owner protest ballot proceeding for the District assessments proposed to be levied and majority protest of the assessments described in the Engineer’s Report did not exist pursuant to the provisions of the California State Constitution Article XIID.

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

SECTION 1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving the Engineer’s Report prepared in connection therewith; the levy and collection of assessments, and considered the oral and written statements, protests and communications made or filed by interested persons.

SECTION 2. Based upon its review of the Engineer’s Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- a) The land within District will receive special benefit by the operation, maintenance and servicing of improvements to be provided by the District.
- b) The District includes the lands receiving such special benefit.
- c) The net amount to be assessed upon the lands within the District is in accordance and apportioned by a formula and method which fairly distributes the net amount among the

eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 3. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the improvements that may include, but is not limited to local street right-of-way improvements and storm drain facilities within the District and the appurtenant facilities related thereto.

SECTION 4. The maintenance, operation and servicing of improvements shall be performed pursuant to the Act and the County Auditor of San Luis Obispo County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City.

SECTION 5. The City shall deposit the money representing assessments collected by the County for the District to the credit of a fund for the Street and Storm Drain Maintenance District No. 01 (Apple Valley), and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in the Engineers Report and generally described in Section 3 of this Resolution.

SECTION 6. The adoption of this Resolution constitutes the establishment of the maximum assessment rate described in the Engineer’s Report and the levy of assessments for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 7. The City Clerk or her designee is hereby authorized and directed to file the levy with the County Auditor, per Section 54718 of the Act, upon adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council held on the 13th day of June, 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

Fiscal Year 2023/24 Engineer's Report

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

May 2023

Prepared by:



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

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)
Balance to Levy	\$38,500
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

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

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-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:

- 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
DIRECT COSTS	
Streets, Roads & Storm Drain Improvements	
Street Maintenance	\$8,350
Inspection & Operational Services - Roads, Drainage	7,770
Traffic Sign Replacement	15,000
Total Annual Direct Costs	\$31,120
ADMINISTRATION EXPENSES	
City Annual Administration	\$1,890
Engineer's Report & Services	3,770
Public Noticing	200
Total Annual Administration Costs	\$5,860
TOTAL DIRECT & ADMINISTRATION COSTS	\$36,980
CAPITAL RESERVE COLLECTIONS/(USES)	
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
Total Annual Capital Reserve Collections/(Uses)	\$24,090
LEVY ADJUSTMENTS	
Interest Income - Improvement Fund	(\$15,928)
Interest Income - Operating Reserve Fund	(422)
Reserve Fund Collection/(Use)	(6,220)
Total Levy Adjustments	(\$22,570)
BALANCE TO LEVY	\$38,500
DISTRICT STATISTICS	
Total Parcels	74
Parcels Levied	70
Total EBU ⁽¹⁾	70
Levy per EBU	\$550.00
Maximum Levy per EBU	\$899.70
FUND BALANCE INFORMATION	
Beginning Operating Reserve Balance	\$14,034
Operational Reserve Interest	422
Surplus Transfer from Improvement Fund	22,400
Operational Reserve Collection (Use)	(\$22,570)
Estimated Ending Operating Reserve Balance	\$14,286
Beginning Improvement Fund Balance	\$522,115
Improvement Fund Interest	15,928
Surplus Transfer to Operations Fund	(\$22,400)
Improvement Fund Collection/(Use)	24,090
Estimated Ending Improvement Fund Balance	\$539,733

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

5. METHOD OF ASSESSMENT

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.

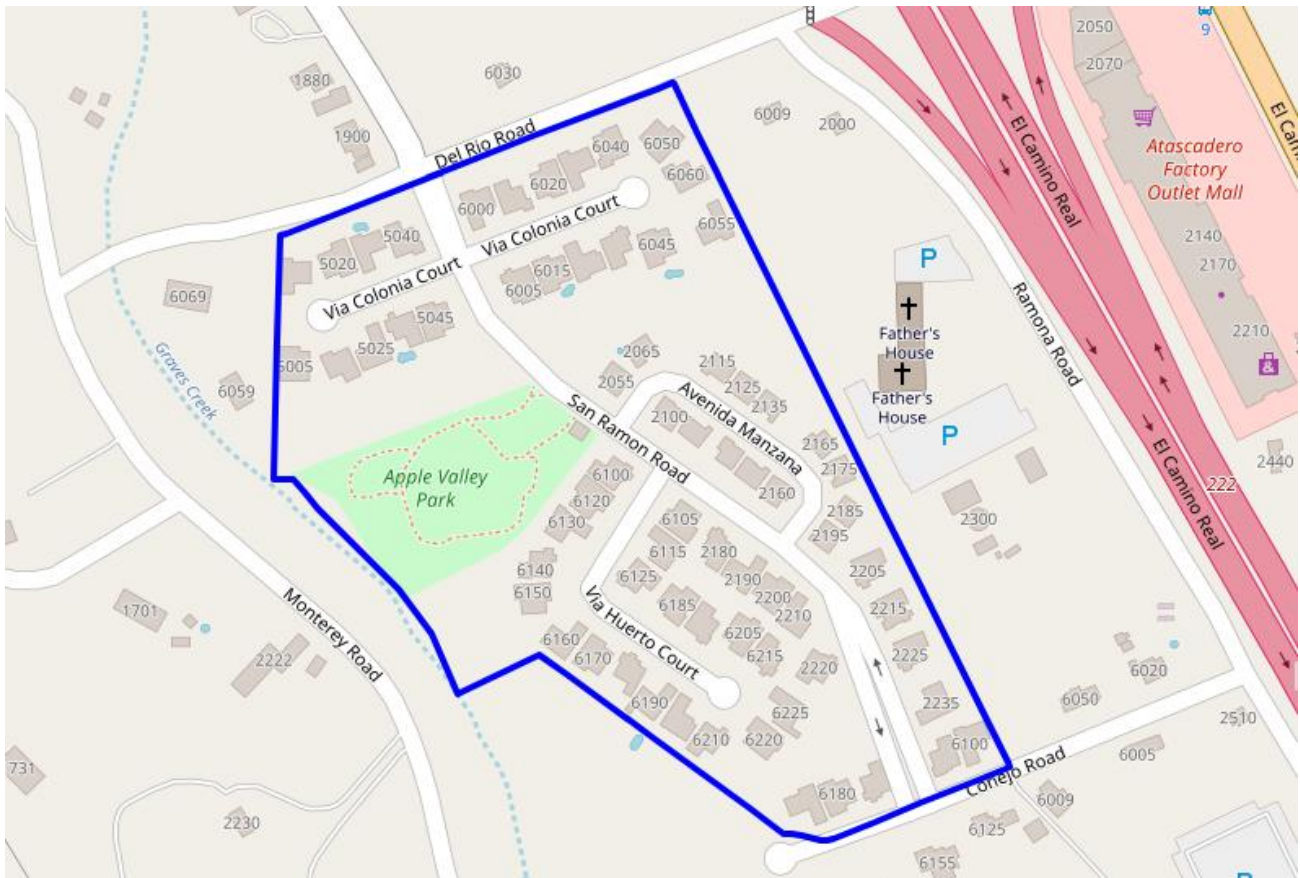
Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the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

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
70 Accounts			70.0	62,979.47	38,500.00
70 Total Accounts			70.0	62,979.47	\$38,500.00

Slight variances may occur due to rounding

DRAFT RESOLUTION C

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING THE FINAL ENGINEER'S REPORT REGARDING THE LANDSCAPING AND LIGHTING DISTRICT NO. 01 (APPLE VALLEY), AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO IN FISCAL YEAR 2023/2024

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as the "City Council"), pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code, did by previous Resolution order the Engineer, NBS, to prepare and file a report in accordance with Article 4 of Chapter 1 of Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500, in connection with the proposed levy for Landscaping and Lighting District No. 01 (Apple Valley) (hereafter referred to as the "District") and the collection of assessments related thereto for the fiscal year starting July 1, 2023 and ending June 30, 2024; and

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Atascadero and the City Clerk has presented to the City Council such report entitled "Engineer's Annual Levy Report for the Landscaping and Lighting District No. 01 (Apple Valley), fiscal year 2023/2024" (hereafter referred to as the "Engineer's Report") in accordance with 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"); and

WHEREAS, the City Council has carefully examined and reviewed the Engineer's Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer's Report.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The Engineer's Report as presented, consists of the following:

- a) Plans and specifications that describe the District and Improvements.
- b) Method of Apportionment that outlines the special benefit conferred on properties within the District from the improvements and the calculations used to establish each parcel's proportional special benefit assessment as well as a description of the assessment range formula that establishes the maximum assessment rate in subsequent fiscal years.
- c) The Budget that outlines the costs and expenses to service, and maintain the improvements including incidental expenses authorized by the Act to operate the District.
- d) An Assessment Diagram that identifies the boundaries of the District.

e) An Assessment Roll containing each of the Assessor’s Parcel Numbers that comprise the District and the proportional maximum assessment and annual assessment for fiscal year 2023/2024.

SECTION 3. The Engineer’s Report as presented, is hereby approved, and is 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 City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the adoption and approval of the Engineer’s Report.

PASSED AND ADOPTED at a regular meeting of the City Council held on the __th day of June, 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 D

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023/2024 FOR LANDSCAPING AND LIGHTING DISTRICT NO. 01 (APPLE VALLEY)

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as City Council) has by previous Resolutions initiated proceedings and declared its intention to levy special benefit assessments against parcels of land within the Landscaping and Lighting District No. 01 (Apple Valley) (hereafter referred to as the "District") for fiscal year 2023/2024, said fiscal year commencing July 1, 2023 and ending June 30, 2024; pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereinafter referred to as the "Act") to pay the costs and expenses of operation, maintenance, repair and servicing of local landscaping, street lighting and appurtenant facilities related thereto; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council an Engineer's Report in connection with the proposed levy of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution adopt and approve said Engineer's Report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2023 and ending June 30, 2024, to pay the costs and expenses of operation, maintenance, repair and servicing of local landscaping, street lighting, and appurtenant facilities related thereto; and

WHEREAS, the City and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Section XIID of the California State Constitution.

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

SECTION 1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving the Engineer's Report prepared in connection with the levy and collection of assessments, and considered the oral and written statements, protests and communications made or filed by interested persons.

SECTION 2. Based upon its review of the Engineer's Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- a) The land within District will receive special benefit by the operation, maintenance and servicing of improvements to be provided by the District.
- b) The net amount to be assessed upon the lands within the District is in accordance and apportioned by a formula and method which fairly distributes the net amount among the eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 3. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the improvements that may include, but is not limited to local street lights, landscaping, parks and open space areas within the District and appurtenant facilities related thereto.

SECTION 4. The maintenance, operation and servicing of improvements shall be performed pursuant to the Act and the County Auditor of San Luis Obispo County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City.

SECTION 5. The City shall deposit the money representing assessments collected by the County for the District to the credit of a fund for the Landscaping and Lighting District No. 01 (Apple Valley), and such money shall be expended for the maintenance, operation and servicing of the improvements as described in the Engineers Report and generally described in Section 3 of this Resolution.

SECTION 6. The adoption of this Resolution constitutes the levy of assessments for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 7. The City Clerk or their designee is hereby authorized and directed to file the levy with the County Auditor, per Sections 22645-22647 of the Act, upon adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___th day of June, 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

Fiscal Year 2023/24 Engineer's Report For:

Landscaping and Lighting District

District No. 01 (Apple Valley)

May 2023

Prepared by:



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

6500 Palma Avenue
Atascadero, CA 93422
Phone – (805) 461-5000
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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)			
Total	\$63,000	\$0	\$63,000	70	\$1,966.13	\$900.00

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 1972 Act.

 City Engineer



2. EXECUTIVE SUMMARY

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

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
DIRECT COSTS			
Annual Costs			
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
Total Annual Direct Costs	87,790	(\$10,170)	\$77,620
CAPITAL EXPENDITURES			
Special Projects	\$3,000	\$0	\$3,000
Total Annual Special Projects	\$3,000	\$0	\$3,000
ADMINISTRATION EXPENSES			
Annual Administration Expenses			
City Annual Administration	\$2,190	\$0	\$2,190
Engineer's Report & Services	4,880	0	4,880
Public Noticing	500	0	500
Total Administration	\$7,570	\$0	\$7,570
TOTAL DIRECT & ADMINISTRATION COSTS	\$98,360	(\$10,170)	\$88,190
CAPITAL RESERVE COLLECTIONS/(USES)			
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
Total Annual Capital Reserve Collections/(Uses)	(10,509)	(\$650)	(11,159)
LEVY ADJUSTMENTS			
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)
Total Levy Adjustments	(\$24,851)	(\$10,820)	(\$14,031)
BALANCE TO LEVY	\$63,000	\$0	\$63,000
DISTRICT STATISTICS			
Total Parcels			74
Parcels Levied			70
Total EBU ⁽¹⁾			70
Levy per EBU			\$900.00
Maximum Levy per EBU			\$1,966.13
FUND BALANCE INFORMATION			
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			\$56,641
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			\$80,539

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

5. METHOD OF ASSESSMENT

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.

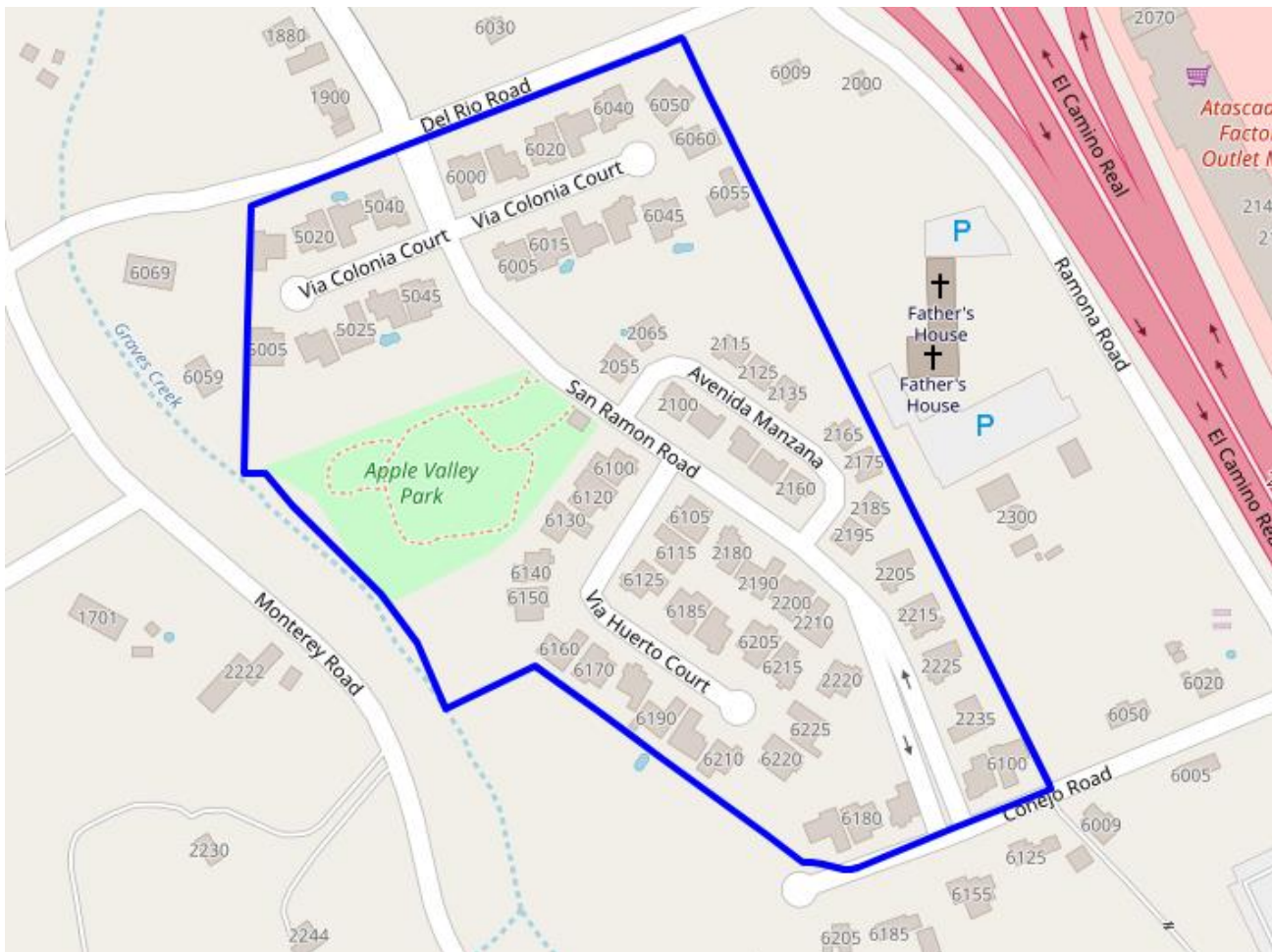
Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the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

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
70 Accounts			70.0	137,629.68	63,000.00
70 Total Accounts			70.0	137,629.68	\$63,000.00

Slight variances may occur due to rounding



Atascadero City Council

Staff Report – Administrative Services Department

De Anza Estates Assessment Districts

RECOMMENDATIONS:

Council:

1. Adopt Draft Resolution A, approving the final Engineer’s Report regarding the Street and Storm Drain Maintenance District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto for fiscal year 2023/2024; and
2. Adopt Draft Resolution B, ordering the levy and collection of assessments for fiscal year 2023/2024 for Street and Storm Drain Maintenance District No. 03 (De Anza Estates); and
3. Adopt Draft Resolution C, approving the final Engineer’s Report regarding the Landscaping and Lighting District No. 03 (De Anza Estates), and the levy and collection of annual assessments related thereto in fiscal year 2023/2024; and
4. Adopt Draft Resolution D, ordering the levy and collection of assessments for fiscal year 2023/2024 for Landscaping and Lighting District No. 03 (De Anza Estates).

DISCUSSION:

The City Council formed and began assessing 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 Landscaping 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 landscaping and lighting improvements within the De Anza Estates subdivision.

NBS, an independent financial consultant, was hired to prepare the engineer’s reports for the two districts. The engineer’s reports and the levies must be approved by Council annually. This is done in a two-step process. Last month, three resolutions for each district (a total of 6 resolutions in all) were passed to begin the process of continuing the levies. At that time, the Engineer’s Reports were preliminarily approved, proceedings

were initiated for the levy, and the date of tonight’s public hearing was established. The resolutions that are before the Council tonight are for the final approval of the Engineer’s Reports and for the approval of the annual levies.

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 City staff contact information for questions and comments, dates for the related Council meetings, information on how to participate in the meeting, and 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 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

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
2. Draft Resolution B
3. Engineer's Annual Levy Report - Street and Storm Drain Maintenance District No. 03 (De Anza Estates)
4. Draft Resolution C
5. Draft Resolution D
6. Engineer's Annual Levy Report - Landscaping and Lighting District No. 03 (De Anza Estates)

DRAFT RESOLUTION A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING THE FINAL ENGINEER'S REPORT REGARDING THE STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 03 (DE ANZA ESTATES), AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2023/2024

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as "City Council"), pursuant to the provisions the Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703 (hereafter referred to as the "Act"), did by previous Resolution order the Engineer, NBS, to prepare and file a report in accordance with the Act in connection with Street and Storm Drain Maintenance District No. 03 (De Anza Estates) (hereafter referred to as the "District") and the proposed levy and collection of assessments related thereto for fiscal year 2023/2024, said fiscal year starting July 1, 2023 and ending June 30, 2024; and

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Atascadero and the City Clerk has presented to the City Council such report entitled "Engineer's Annual Levy Report for Street and Storm Drain Maintenance District No. 03 (De Anza Estates), fiscal year 2023/2024" (hereafter referred to as "Engineer's Report") in accordance with the Act; and

WHEREAS, the City Council has carefully examined and reviewed the Engineer's Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer's Report.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The Engineer's Report as presented, consists of the following:

- a) Plans and specifications that describe the District and Improvements.
- b) Method of Apportionment that outlines the special benefit conferred on properties within the District from the improvements and the calculations used to establish each parcel's proportional special benefit assessment.
- c) The Budget that outlines the costs and expenses to service, and maintain the improvements including incidental expenses to operate the District.
- d) An Assessment Diagram that identifies the boundaries of the District.
- e) An Assessment Roll containing each of the Assessor Parcel Numbers that comprise the District and the proportional maximum assessment and the assessment for fiscal year 2023/2024.

SECTION 3. The Engineer’s Report as presented, is hereby approved, and is 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 City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the adoption and approval of the Engineer’s Report.

PASSED AND ADOPTED at a regular meeting of the City Council held on the __th day of June, 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, ORDERING THE LEVY AND
COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023/2024 FOR
STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 03
(DE ANZA ESTATES)**

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as City Council) has by previous Resolutions initiated proceedings to levy special benefit assessments against parcels of land within Street and Storm Drain Maintenance District No. 03 (De Anza Estates) (hereafter referred to as the “District”) for the fiscal year commencing July 1, 2023 and ending June 30, 2024; 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 “Act”) to pay the costs and expenses of operation, maintenance, repair and servicing of local street right-of-way improvements and storm drain facilities related thereto; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council an Engineer’s Report in connection with the proposed levy of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution adopt and approve said Engineer’s Report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2023 and ending June 30, 2024, to pay the costs and expenses of operation, maintenance, repair and servicing of local street right-of-way improvements and storm drain facilities related thereto; and

WHEREAS, the City Council conducted in May 2005 a property owner protest ballot proceeding for the District assessments proposed to be levied and majority protest of the assessments described in the Engineer’s Report did not exist pursuant to the provisions of the California State Constitution Article XIID.

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

SECTION 1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving the Engineer’s Report prepared in connection therewith; the levy and collection of assessments, and considered the oral and written statements, protests and communications made or filed by interested persons.

SECTION 2. Based upon its review of the Engineer’s Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- a) The land within District will receive special benefit by the operation, maintenance and servicing of improvements to be provided by the District.
- b) The District includes the lands receiving such special benefit.

c) The net amount to be assessed upon the lands within the District is in accordance and apportioned by a formula and method which fairly distributes the net amount among the eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 3. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the improvements that may include, but is not limited to local street right-of-way improvements and storm drain facilities within the District and the appurtenant facilities related thereto.

SECTION 4. The maintenance, operation and servicing of improvements shall be performed pursuant to the Act and the County Auditor of San Luis Obispo County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City.

SECTION 5. The City shall deposit the money representing assessments collected by the County for the District to the credit of a fund for the Street and Storm Drain Maintenance District No. 03 (De Anza Estates), and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in the Engineers Report and generally described in Section 3 of this Resolution.

SECTION 6. The adoption of this Resolution constitutes the establishment of the maximum assessment rate described in the Engineer’s Report and the levy of assessments for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 7. The City Clerk or their designee is hereby authorized and directed to file the levy with the County Auditor, per Section 54718 of the Act, upon adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___th day of June, 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

Fiscal Year 2023/24 Engineer's Report For:

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

May 2023

Prepared by:



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

6500 Palma Avenue
Atascadero, CA 93422
Phone – (805) 461-5000
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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)
Balance to Levy ⁽¹⁾	\$12,843	\$17,719	\$30,562
Fiscal Year 2023/24 Maximum Rate ⁽²⁾	\$893.34	\$1,104.46	
Fiscal Year 2023/24 Proposed Applied Rate ⁽²⁾	\$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

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

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
DIRECT COSTS			
Streets, Roads & Storm Drain Improvements			
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
Total Annual Direct Costs	\$8,516	\$16,384	\$24,900
ADMINISTRATION EXPENSES			
City Annual Administration	\$810	\$810	\$1,620
Engineer's Report & Services	1,885	1,885	3,770
Public Noticing	50	50	100
Total Administration Costs	\$2,745	\$2,745	\$5,490
TOTAL DIRECT & ADMINISTRATION COSTS	\$11,261	\$19,129	\$30,390
CAPITAL RESERVE COLLECTIONS/(USES)			
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
Total Capital Reserve Collections/(Uses)	\$14,939	\$15,873	\$30,812
LEVY ADJUSTMENTS			
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)
Total Levy Adjustments	(\$13,357)	(\$17,283)	(\$30,640)
BALANCE TO LEVY	\$12,843	\$17,719	\$30,562
DISTRICT STATISTICS			
Total Parcels	61	28	89
Parcels Levied	60	26	86
Total EBU ⁽¹⁾	37.50	26	63.50
Proposed Levy per EBU	\$342.48	\$681.50	
Maximum Levy per EBU	\$893.34	\$1,104.46	
FUND BALANCE INFORMATION			
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)
Ending Operating Reserve Balance	\$6,113	\$8,441	\$14,554
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
Estimated Ending Improvement Fund Balance	\$214,778	\$296,600	\$511,378

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

5. METHOD OF ASSESSMENT

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

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
86 Accounts				86.0	82,316.66	\$30,561.40
86 Total Accounts				86.0	82,316.66	\$30,561.40

DRAFT RESOLUTION C

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING THE FINAL ENGINEER'S REPORT REGARDING THE LANDSCAPING AND LIGHTING DISTRICT NO. 03 (DE ANZA ESTATES), AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO IN FISCAL YEAR 2023/2024

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as the "City Council"), pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code, did by previous Resolution order the Engineer, NBS, to prepare and file a report in accordance with Article 4 of Chapter 1 of Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500, in connection with the proposed levy for Landscaping and Lighting District No. 03 (De Anza Estates) (hereafter referred to as the "District") and the collection of assessments related thereto for the fiscal year starting July 1, 2023 and ending June 30, 2024; and

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Atascadero and the City Clerk has presented to the City Council such report entitled "Engineer's Annual Levy Report for the Landscaping and Lighting District No. 03 (De Anza Estates), fiscal year 2023/2024" (hereafter referred to as the "Engineer's Report") in accordance with 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"); and

WHEREAS, the City Council has carefully examined and reviewed the Engineer's Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer's Report.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The Engineer's Report as presented, consists of the following:

- a) Plans and specifications that describe the District and Improvements.
- b) Method of Apportionment that outlines the special benefit conferred on properties within the District from the improvements and the calculations used to establish each parcel's proportional special benefit assessment as well as a description of the assessment range formula that establishes the maximum assessment rate in subsequent fiscal years.
- c) The Budget that outlines the costs and expenses to service, and maintain the improvements including incidental expenses authorized by the Act to operate the District.
- d) An Assessment Diagram that identifies the boundaries of the District.

e) An Assessment Roll containing each of the Assessor Parcel Numbers that comprise the District and the proportional maximum assessment and annual assessment for fiscal year 2023/2024.

SECTION 3. The Engineer’s Report as presented, is hereby approved, and is 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 City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the adoption and approval of the Engineer’s Report.

PASSED AND ADOPTED at a regular meeting of the City Council held on the __th day of June, 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 D

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ATASCADERO, CALIFORNIA, ORDERING THE LEVY AND
COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023/2024 FOR
LANDSCAPING AND LIGHTING DISTRICT NO. 03
(DE ANZA ESTATES)**

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as City Council) has by previous Resolutions initiated proceedings and declared its intention to levy special benefit assessments against parcels of land within the Landscaping and Lighting District No. 03 (De Anza Estates) (hereafter referred to as the "District") for fiscal year 2023/2024, said fiscal year commencing July 1, 2023 and ending June 30, 2024; pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereinafter referred to as the "Act") to pay the costs and expenses of operation, maintenance, repair and servicing of local landscaping, street lighting and appurtenant facilities related thereto; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council an Engineer's Report in connection with the proposed levy of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution adopt and approve said Engineer's Report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2023 and ending June 30, 2024, to pay the costs and expenses of operation, maintenance, repair and servicing of local landscaping, street lighting, and appurtenant facilities related thereto; and

WHEREAS, the City and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Section XIID of the California State Constitution.

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

SECTION 1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving the Engineer's Report prepared in connection with the levy and collection of assessments, and considered the oral and written statements, protests and communications made or filed by interested persons.

SECTION 2. Based upon its review of the Engineer's Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

a) The land within District will receive special benefit by the operation, maintenance and servicing of improvements to be provided by the District.

b) The net amount to be assessed upon the lands within the District is in accordance and apportioned by a formula and method which fairly distributes the net amount among the eligible parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 3. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the improvements that may include, but is not limited to local street lights, landscaping, parks and open space areas within the District and appurtenant facilities related thereto.

SECTION 4. The maintenance, operation and servicing of improvements shall be performed pursuant to the Act and the County Auditor of San Luis Obispo County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City.

SECTION 5. The City shall deposit the money representing assessments collected by the County for the District to the credit of a fund for the Landscaping and Lighting District No. 03 (De Anza Estates), and such money shall be expended for the maintenance, operation and servicing of the improvements as described in the Engineers Report and generally described in Section 3 of this Resolution.

SECTION 6. The adoption of this Resolution constitutes the levy of assessments for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 7. The City Clerk or their designee is hereby authorized and directed to file the levy with the County Auditor, per Sections 22645-22647 of the Act, upon adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___th day of June, 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

Fiscal Year 2023/24 Engineer's Report For:

Landscaping and Lighting District

No. 03 (De Anza Estates)

May 2023

Prepared by:



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

6500 Palma Avenue
Atascadero, CA 93422
Phone – (805) 461-5000
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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)			
Levy Adjustments						
Total	\$15,875	\$0	\$15,875	63.50	\$1,583.66	\$250.00

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 1972 Act.

 City Engineer



2. EXECUTIVE SUMMARY

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

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
DIRECT COSTS			
Annual Costs			
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
Total Annual Direct Costs	\$12,010	(\$708)	\$11,110
CAPITAL EXPENDITURES			
Special Projects	\$7,500	\$0	\$7,500
Total Annual Special Projects	\$7,500	\$0	\$7,500
ADMINISTRATION EXPENSES			
Annual Administration Expenses			
City Annual Administration	\$2,270	\$0	\$2,270
Engineer's Report & Services	4,530	0	4,530
Public Noticing	350	0	350
Total Administration	\$7,150	\$0	\$7,150
TOTAL DIRECT & ADMINISTRATION COSTS	\$26,660	(\$708)	\$25,760
CAPITAL RESERVE COLLECTIONS/(USES)			
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
Total Annual Capital Reserve Collections/(Uses)	(\$886)	(\$500)	(\$1,386)
LEVY ADJUSTMENTS			
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)
Total Levy Adjustments	(9,899)	(\$1,208)	(\$8,691)
BALANCE TO LEVY	\$15,875	\$0	\$15,875
DISTRICT STATISTICS			
Total Parcels			89
Parcels Levied			86
Total EBU ⁽¹⁾			63.50
Levy per EBU			\$250.00
Maximum Levy per EBU			\$1,583.66
FUND BALANCE INFORMATION			
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			\$ 12,738
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			\$98,168

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

5. METHOD OF ASSESSMENT

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

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 & 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
86 Accounts			63.50	100,562.97	15,875.00
86 Total Accounts			63.50	100,562.97	\$15,875.00



Atascadero City Council

Staff Report – Administrative Services Department

Las Lomas (Woodridge) Assessment Districts

RECOMMENDATIONS:

Council:

1. Adopt Draft Resolution A, approving the final Engineer’s Report regarding the Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]), and the levy and collection of annual assessments related thereto for Fiscal Year 2023/2024; and
2. Adopt Draft Resolution B, ordering the levy and collection of assessments for Fiscal Year 2023/2024 for Street and Storm Drain Maintenance District No. 02 (Las Lomas [Woodridge]); and
3. Adopt Draft Resolution C, approving the final Engineer’s Report regarding the Landscaping and Lighting District No. 02 (Las Lomas [Woodridge]), and the levy and collection of annual assessments related thereto in Fiscal Year 2023/2024; and
4. Adopt Draft Resolution D, ordering the levy and collection of assessments for Fiscal Year 2023/2024 for Landscaping and Lighting District No. 02 (Las Lomas [Woodridge]).

DISCUSSION:

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 (Las Lomas) subdivision.

The City Council also formed and began assessing Atascadero Landscaping 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 reports for the two districts. The engineer's reports and the levies must be approved by Council annually. This is done in a two-step process. Last month, three resolutions for each district (a total of 6 resolutions in all) were passed to begin the process of continuing the levies. At that time, the engineer's reports were preliminarily approved, proceedings were initiated for the levy, and the date of tonight's public hearing was established. The resolutions that are before the Council tonight are for the final approval of the Engineer's Reports and for the approval of the annual levies.

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 city staff contact information for questions and comments, dates for the related Council meetings, information on how to participate in the meeting, and 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.

There is no proposed increase for the Street and Storm Drain District. An increase of 5.3%, by the Consumer Price Index (CPI), is being proposed for the Landscape and Lighting District, per Equivalent Benefit Unit (EBU). The Landscape and Lighting District is experiencing 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. 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.

To further ensure that property owners and prospective buyers are advised of these future road expenses, staff proposes to record the attached “Notice of Assessment” (Attachment 7) on each of the parcels in the District. This Notice will be an additional way to make sure that all interested parties are aware of the financial obligation for future road maintenance costs in addition to the assessment that is being considered with this staff report.

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
2. Draft Resolution B
3. Engineer’s Annual Levy Report - Street and Storm Drain Maintenance District No. 02 – Woodridge (Las Lomas)
4. Draft Resolution C
5. Draft Resolution D
6. Engineer’s Annual Levy Report - Landscaping and Lighting District No. 02 – Woodridge (Las Lomas)
7. Notice of Assessment

DRAFT RESOLUTION A

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING THE FINAL ENGINEER’S REPORT REGARDING THE STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 02 (LAS LOMAS [WOODRIDGE]), AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2023/2024

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as “City Council”), pursuant to the provisions the Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703 (hereafter referred to as the “Act”), did by previous Resolution order the Engineer, NBS, to prepare and file a report in accordance with the Act in connection with Street and Storm Drain Maintenance District No. 02 (Woodridge) (hereafter referred to as the “District”) and the proposed levy and collection of assessments related thereto for fiscal year 2023/2024, said fiscal year starting July 1, 2023 and ending June 30, 2024; and

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Atascadero and the City Clerk has presented to the City Council such report entitled “Engineer’s Annual Levy Report for Street and Storm Drain Maintenance District No. 02 (Woodridge), fiscal year 2023/2024” (hereafter referred to as “Engineer’s Report”) in accordance with the Act; and

WHEREAS, the City Council has carefully examined and reviewed the Engineer’s Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer’s Report.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The Engineer’s Report as presented, consists of the following:

- a) Plans and specifications that describe the District and Improvements.
- b) Method of Apportionment that outlines the special benefit conferred on properties within the District from the improvements and the calculations used to establish each parcel’s proportional special benefit assessment.
- c) The Budget that outlines the costs and expenses to service, and maintain the improvements including incidental expenses to operate the District.
- d) An Assessment Diagram that identifies the boundaries of the District.
- e) An Assessment Roll containing each of the Assessor Parcel Numbers that comprise the District and the proportional maximum assessment and the assessment for fiscal year 2023/2024.

SECTION 3. The Engineer’s Report as presented, is hereby approved, and is 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 City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the adoption and approval of the Engineer’s Report.

PASSED AND ADOPTED at a regular meeting of the City Council held on the __th day of June, 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, ORDERING THE LEVY AND
COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023/2024 FOR
STREET AND STORM DRAIN MAINTENANCE DISTRICT NO. 02 (LAS
LOMAS [WOODRIDGE])**

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as City Council) has by previous Resolutions initiated proceedings to levy special benefit assessments against parcels of land within Street and Storm Drain Maintenance District No. 02 (Woodridge) (hereafter referred to as the “District”) for the fiscal year commencing July 1, 2023 and ending June 30, 2024; 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 “Act”) to pay the costs and expenses of operation, maintenance, repair and servicing of local street right-of-way improvements and storm drain facilities related thereto; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council an Engineer’s Report in connection with the proposed levy of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution adopt and approve said Engineer’s Report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2023 and ending June 30, 2024, to pay the costs and expenses of operation, maintenance, repair and servicing of local street right-of-way improvements and storm drain facilities related thereto; and

WHEREAS, the City Council conducted in May 2005 a property owner protest ballot proceeding for the District assessments proposed to be levied and majority protest of the assessments described in the Engineer’s Report did not exist pursuant to the provisions of the California State Constitution Article XIII D.

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

SECTION 1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving the Engineer’s Report prepared in connection therewith; the levy and collection of assessments, and considered the oral and written statements, protests and communications made or filed by interested persons.

SECTION 2. Based upon its review of the Engineer’s Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- a) The land within District will receive special benefit by the operation, maintenance and servicing of improvements to be provided by the District.
- b) The District includes the lands receiving such special benefit.
- c) The net amount to be assessed upon the lands within the District is in accordance and apportioned by a formula and method which fairly distributes the net amount among the eligible

parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 3. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the improvements that may include, but is not limited to local street right-of-way improvements and storm drain facilities within the District and the appurtenant facilities related thereto.

SECTION 4. The maintenance, operation and servicing of improvements shall be performed pursuant to the Act and the County Auditor of San Luis Obispo County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City.

SECTION 5. The City shall deposit the money representing assessments collected by the County for the District to the credit of a fund for the Street and Storm Drain Maintenance District No. 02 (Woodridge), and such money shall be expended only for the maintenance, operation and servicing of the improvements as described in the Engineers Report and generally described in Section 3 of this Resolution.

SECTION 6. The adoption of this Resolution constitutes the establishment of the maximum assessment rate described in the Engineer’s Report and the levy of assessments for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 7. The City Clerk or their designee is hereby authorized and directed to file the levy with the County Auditor, per Section 54718 of the Act, upon adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___th day of June, 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

Fiscal Year 2023/24 Engineer's Report For:

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

May 2023

Prepared by:



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

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)
Balance to Levy	\$99,189
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.

 City Engineer

2. EXECUTIVE SUMMARY

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

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
DIRECT COSTS	
Streets, Roads & Storm Drain Improvements	
Street Maintenance	\$8,350
Drainage Maintenance Services	3,720
Inspection & Operational Services - Roads, Drainage	0
Total Annual Direct Costs	\$12,070
SPECIAL PROJECT	
	\$0
ADMINISTRATION EXPENSES	
City Annual Administration	\$1,920
City Operational Services	4,280
Engineer's Report & Services	3,770
Public Noticing	150
Total Annual Administration Costs	\$10,120
TOTAL DIRECT & ADMINISTRATION COSTS	\$22,190
CAPITAL RESERVE COLLECTIONS/(USES)	
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
Total Annual Capital Reserve Collections/(Uses)	\$114,270
LEVY ADJUSTMENTS	
Interest Income - Improvement Fund	(\$20,686)
Interest Income - Operating Reserve Fund	(404)
Reserve Fund Collection (Use)	(16,181)
Total Levy Adjustments	(\$37,271)
BALANCE TO LEVY	\$99,189
DISTRICT STATISTICS	
Total Parcels	191
Parcels Levied	181
Total EBU ⁽¹⁾	231.75
Levy per EBU	\$428.00
Maximum Levy per EBU	\$900.10
FUND BALANCE INFORMATION	
Beginning Operating Reserve Balance	\$14,092
Operational Reserve Interest	404
Surplus Transfer from Improvement Fund	37,199
Operational Reserve Collection (Use)	(37,271)
Ending Operating Reserve Balance	\$14,424
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	\$737,778

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

5. METHOD OF ASSESSMENT

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.

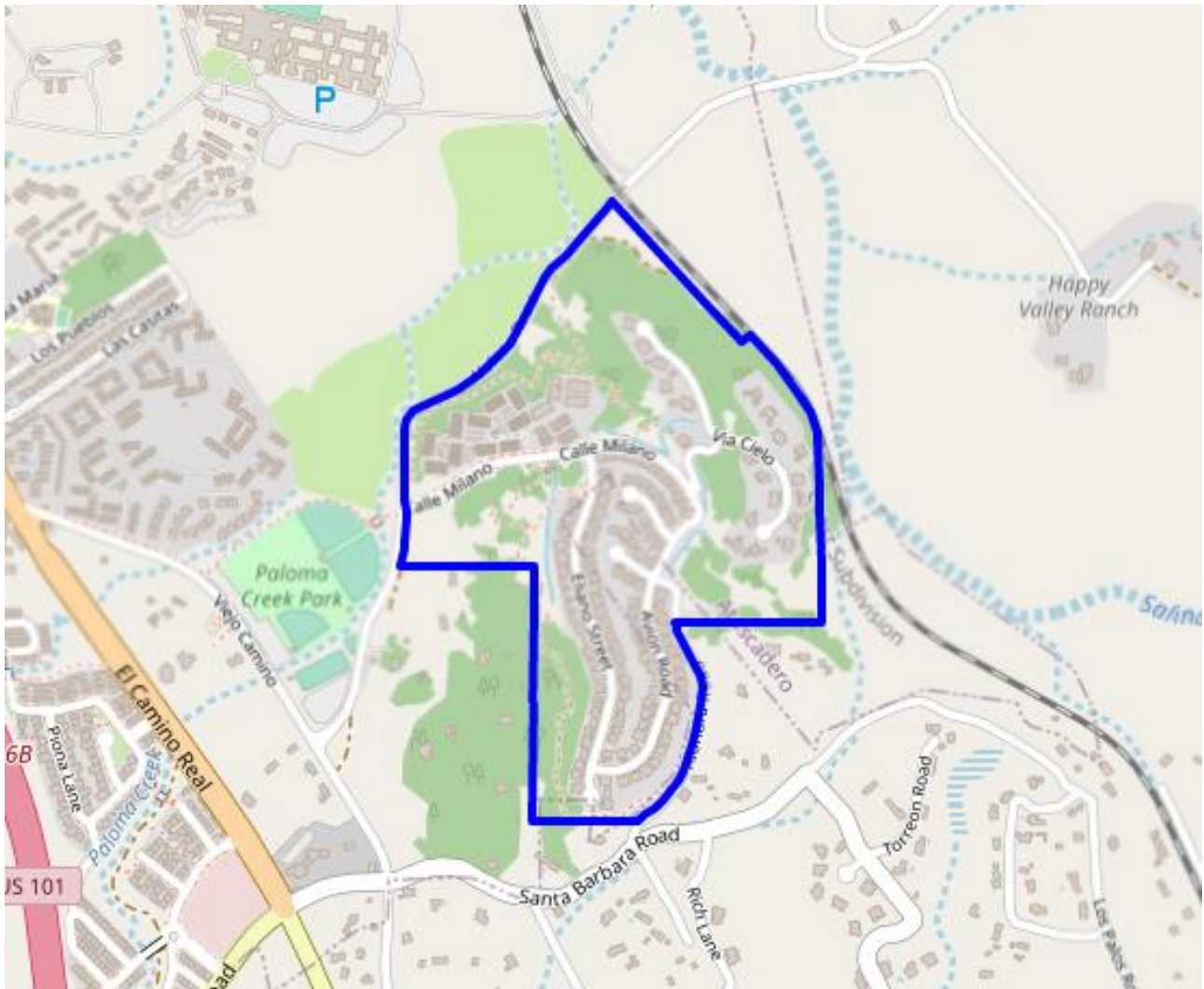
To impose a new or increased assessment other than the annual inflationary adjustment provided by the preceding Assessment Range Formula, the City must comply with the provisions of the California Constitution Article XIID Section 4c, that requires a public hearing and certain protest procedures including

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. 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

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
181 Accounts			231.8	208,599.18	99,189.00
181 Total Accounts			231.8	208,599.18	\$99,189.00

DRAFT RESOLUTION C

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ATASCADERO, CALIFORNIA, APPROVING THE FINAL ENGINEER'S REPORT REGARDING THE LANDSCAPING AND LIGHTING DISTRICT NO. 02 (LAS LOMAS [WOODRIDGE]), AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO IN FISCAL YEAR 2023/2024

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as the "City Council"), pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code, did by previous Resolution order the Engineer, NBS, to prepare and file a report in accordance with Article 4 of Chapter 1 of Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500, in connection with the proposed levy for Landscaping and Lighting District No. 02 (Woodridge) (hereafter referred to as the "District") and the collection of assessments related thereto for the fiscal year starting July 1, 2023 and ending June 30, 2024; and

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Atascadero and the City Clerk has presented to the City Council such report entitled "Engineer's Annual Levy Report for the Landscaping and Lighting District No. 02 (Woodridge), fiscal year 2023/2024" (hereafter referred to as the "Engineer's Report") in accordance with 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"); and

WHEREAS, the City Council has carefully examined and reviewed the Engineer's Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer's Report.

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

SECTION 1. The above recitals are true and correct.

SECTION 2. The Engineer's Report as presented, consists of the following:

- a) Plans and specifications that describe the District and Improvements.
- b) Method of Apportionment that outlines the special benefit conferred on properties within the District from the improvements and the calculations used to establish each parcel's proportional special benefit assessment as well as a description of the assessment range formula that establishes the maximum assessment rate in subsequent fiscal years.
- c) The Budget that outlines the costs and expenses to service, and maintain the improvements including incidental expenses authorized by the Act to operate the District.
- d) An Assessment Diagram that identifies the boundaries of the District.

e) An Assessment Roll containing each of the Assessor Parcel Numbers that comprise the District and the proportional maximum assessment and annual assessment for fiscal year 2023/2024.

SECTION 3. The Engineer’s Report as presented, is hereby approved, and is 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 City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the adoption and approval of the Engineer’s Report.

PASSED AND ADOPTED at a regular meeting of the City Council held on the __th day of June, 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 D

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ATASCADERO, CALIFORNIA, ORDERING THE LEVY AND
COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023/2024 FOR
LANDSCAPING AND LIGHTING DISTRICT NO. 02 (LAS LOMAS
[WOODRIDGE])**

WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as City Council) has by previous Resolutions initiated proceedings and declared its intention to levy special benefit assessments against parcels of land within the Landscaping and Lighting District No. 02 (Woodridge) (hereafter referred to as the "District") for fiscal year 2023/2024, said fiscal year commencing July 1, 2023 and ending June 30, 2024; pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereinafter referred to as the "Act") to pay the costs and expenses of operation, maintenance, repair and servicing of local landscaping, street lighting and appurtenant facilities related thereto; and

WHEREAS, the Engineer selected by the City Council has prepared and filed with the City Clerk, and the City Clerk has presented to the City Council an Engineer's Report in connection with the proposed levy of special benefit assessments upon eligible parcels of land within the District, and the City Council did by previous Resolution adopt and approve said Engineer's Report; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the fiscal year commencing July 1, 2023 and ending June 30, 2024, to pay the costs and expenses of operation, maintenance, repair and servicing of local landscaping, street lighting, and appurtenant facilities related thereto; and

WHEREAS, the City and its legal counsel have reviewed Proposition 218 and found that these assessments comply with applicable provisions of Section XIID of the California State Constitution.

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

SECTION 1. Following notice duly given, the City Council has held a full and fair Public Hearing regarding its Resolution approving the Engineer's Report prepared in connection with the levy and collection of assessments, and considered the oral and written statements, protests and communications made or filed by interested persons.

SECTION 2. Based upon its review of the Engineer's Report, a copy of which has been presented to the City Council and which has been filed with the City Clerk, the City Council hereby finds and determines that:

- a) The land within District will receive special benefit by the operation, maintenance and servicing of improvements to be provided by the District.
- b) The net amount to be assessed upon the lands within the District is in accordance and apportioned by a formula and method which fairly distributes the net amount among the eligible

parcels in proportion to the special benefit to be received by each parcel from the improvements and services for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 3. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as the maintenance, operation, administration and servicing of the improvements that may include, but is not limited to local street lights, landscaping, parks and open space areas within the District and appurtenant facilities related thereto.

SECTION 4. The maintenance, operation and servicing of improvements shall be performed pursuant to the Act and the County Auditor of San Luis Obispo County shall enter on the County Assessment Roll opposite each parcel of land the amount of levy, and such levies shall be collected at the same time and in the same manner as the County taxes are collected. After collection by the County, the net amount of the levy shall be paid to the City.

SECTION 5. The City shall deposit the money representing assessments collected by the County for the District to the credit of a fund for the Landscaping and Lighting District No. 02 (Woodridge), and such money shall be expended for the maintenance, operation and servicing of the improvements as described in the Engineers Report and generally described in Section 3 of this Resolution.

SECTION 6. The adoption of this Resolution constitutes the levy of assessments for the fiscal year commencing July 1, 2023 and ending June 30, 2024.

SECTION 7. The City Clerk or their designee is hereby authorized and directed to file the levy with the County Auditor, per Sections 22645-22647 of the Act, upon adoption of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council held on the __th day of June, 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

Fiscal Year 2023/24 Engineer's Report For:

Landscaping and Lighting District

District No. 02 Las Lomas (Woodridge)

May 2023

Prepared by:



CITY OF ATASCADERO
Landscaping & Lighting District No. 02
Las Lomas (Woodridge)

6500 Palma Avenue
Atascadero, CA 93422
Phone – (805) 461-5000
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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)			
Total	\$74,160.00	\$0	\$74,160.00	231.75	\$2,235.20	\$320.00

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 1972 Act.

 City Engineer

2. EXECUTIVE SUMMARY

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

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
DIRECT COSTS			
Annual Costs			
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
Total Annual Direct Costs	\$88,890	(\$2,250)	\$86,640
CAPITAL EXPENDITURES			
Special Projects	\$20,000	\$0	\$20,000
Total Annual Special Projects	\$20,000	\$0	\$20,000
ADMINISTRATION EXPENSES			
Annual Administration Expenses			
City Annual Administration	\$1,500	\$0	\$1,500
Engineer's Report & Services	4,880	0	4,880
Public Noticing	350	0	350
Total Administration	\$6,730	\$0	\$6,730
TOTAL DIRECT & ADMINISTRATION COSTS	\$115,620	(\$2,250)	\$113,370
CAPITAL RESERVE COLLECTIONS/(USES)			
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
Total Annual Capital Reserve Collections/(Uses)	(\$5,433)	(\$250)	(\$5,683)
LEVY ADJUSTMENTS			
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)
Total Levy Adjustments	(\$36,027)	(\$2,500)	(\$33,527)
BALANCE TO LEVY	\$74,160	\$0	\$74,160
DISTRICT STATISTICS			
Total Parcels			191
Parcels Levied			181
Total EBU ⁽¹⁾			231.75
Levy per EBU			\$320.00
Maximum Levy per EBU			\$2,235.20
FUND BALANCE INFORMATION			
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			\$62,670
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			\$89,399

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

5. METHOD OF ASSESSMENT

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.

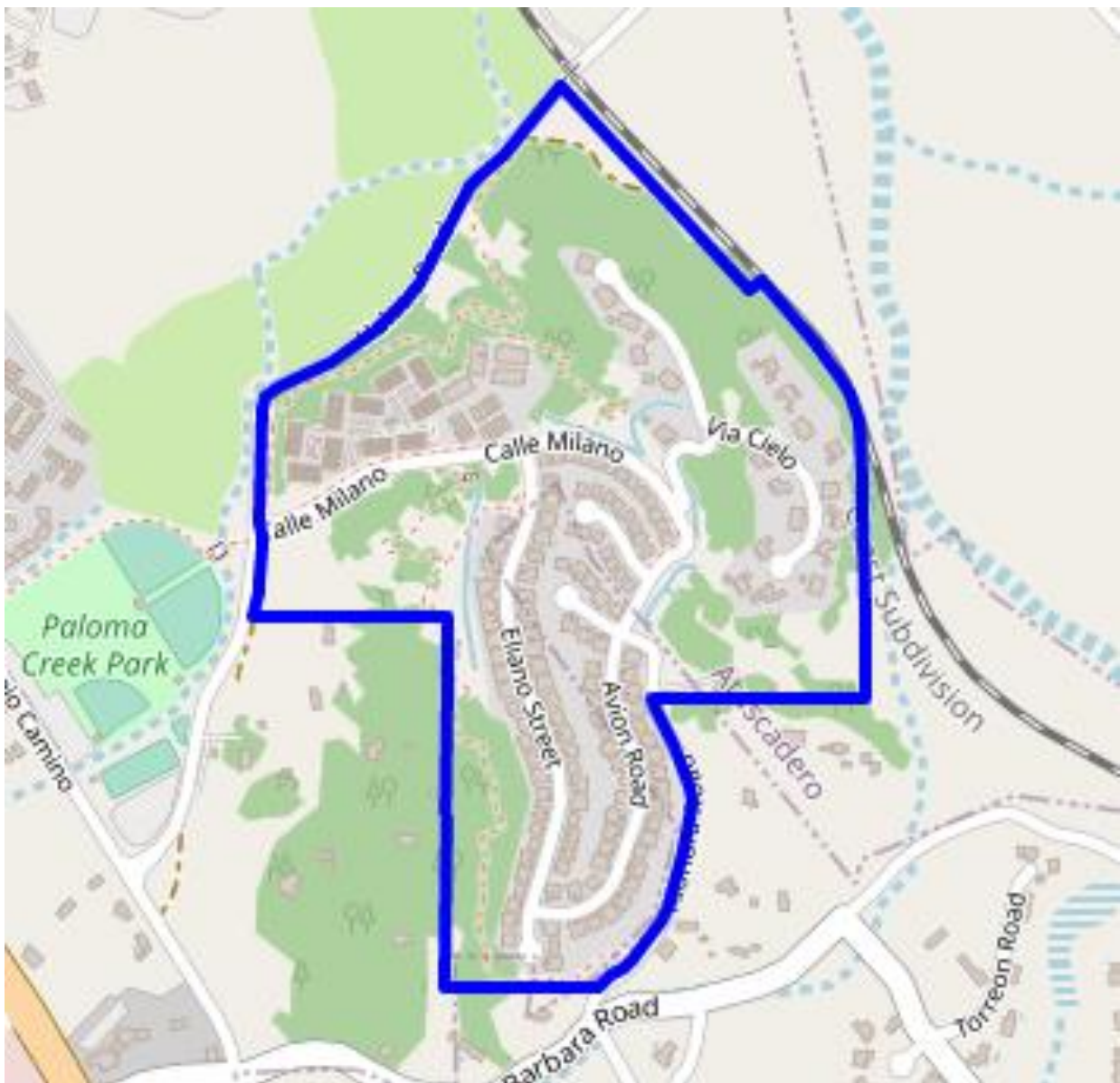
Any proposed annual assessment (rate per EBU) less than or equal to the calculated (adjusted) Maximum Assessment Rate is not considered an increased assessment, even if the proposed assessment is significantly greater than the assessment applied in the prior fiscal year. Likewise, modifications to the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

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
181 Accounts			231.75	518,008.60	74,160.00
181 Total Accounts			231.75	518,008.60	\$74,160.00

Slight variances may occur due to rounding

**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

City Clerk
City of Atascadero
6500 Palma Ave
Atascadero, California 93422

NOTICE OF ASSESSMENT

**City of Atascadero
Street and Storm Drain Maintenance District No. 02
(Woodridge/Las Lomas)**

Pursuant to the requirements of the Streets and Highways Code of California, the undersigned City Clerk of the City of Atascadero, County of San Luis Obispo, State of California, hereby gives confirmation that a diagram and assessment were filed in the office of the City Clerk of the City of Atascadero, State of California.

The undersigned City Clerk of the City of Atascadero certifies that the diagram showing the boundaries of the Street and Storm Drain Maintenance District No. 02 (Woodridge/Las Lomas), City of Atascadero, County of San Luis Obispo, State of California, was approved by the City Council of said City at a regular meeting thereof held on the 24th day of May, 2005, by its Resolution No. 2005-048. The boundaries of said Street and Storm Drain Maintenance District (District) are contiguous with the Tract Maps 2525-1 and 2525-2 recorded in the Office of the Recorder of the County of San Luis Obispo, State of California, in Book 25, Pages 83-92 and Book 27, Pages 06-10, respectively.

Notice is further given that upon the recording of this Notice, the County Auditor shall enter on the county assessment roll opposite each lot or parcel of land the amount assessed thereupon, as shown in the assessment, in accordance with Section 22645 of the Streets and Highways Code.

Property owners in the District pay assessments through property tax bills which the City uses to maintain roads within the District. City staff met with property owners to discuss the level at which levies for road maintenance should be set. 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 Benefit Assessment District at an amount that will only cover short-term maintenance of the roads, but will not be sufficient for long-term maintenance and repair.

The Assessment District levy amount entered on the county assessment roll for the 2023/2024 fiscal year, and anticipated amounts for future years, are 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 2018, these funds will only be enough to cover road maintenance costs. The roads will require more in-depth road rehabilitation projects (expected around 2034) that will require significant funding. The estimated cost of that work is just under \$1,000,000 using 2018 dollars, and is the financial obligation of the residents of the District. As the needed road rehabilitation project approaches, a financing mechanism will need to be approved and paid for by the residents to fund the longer-term improvements needed to maintain the District.

The name or names of the owners of the assessed parcels as they appear on the latest secured assessment roll are set forth in Exhibit "A" hereto attached and by reference incorporated herein.

Dated: _____, 2023

Lara K. Christensen, City Clerk
City of Atascadero



Atascadero City Council

Staff Report – City Manager’s Office

Downtown Parking and Business Improvement Area (DPBIA) Confirmation of Annual Assessment (FY 2023-2024)

RECOMMENDATION:

Council adopt Draft Resolution, confirming the annual assessment for the Downtown Parking and Business Improvement Area (Fiscal Year 2023-2024).

DISCUSSION:

The City of Atascadero established a Downtown Parking and Business Improvement Area in 1986 (Chapter 11 of the Atascadero Municipal Code) for the purpose of *acquisition, construction or maintenance of parking facilities, decoration of public places, promotion of public events, and general promotion of business activities in the downtown area*. The formation and operation of a Parking and Business Improvement Area is governed by the California Streets and Highways Code (Section 36500 et. Seq.). The Code requires the City to levy and collect the assessments, the City Council to adopt an annual Resolution of Intention declaring the City’s intent to levy an annual Downtown Parking and Business Improvement Area assessment, and hold a public hearing confirming the assessment. The City Council adopted a Draft Resolution of Intention on May 23, 2023 and set a public hearing for June 13, 2023 to receive public comment.

The Downtown Parking and Business Improvement Area (BIA) assessment was reduced to \$0.00 starting in the 2009/2010 fiscal year at the behest of downtown landlords as part of a program to encourage downtown businesses. In January 2018, staff was approached by an informal committee of downtown business owners, who expressed interest in reinstating the full levy of the assessment for the Downtown Parking and Business Improvement Area (DPBIA). The full levy of the assessment is equal to 100 percent of the business license fee, essentially doubling the business license fee, and is charged to businesses located in the BIA.

In 2019, the City entered into an agreement with the Atascadero Chamber of Commerce. The Chamber of Commerce serves as the advisory body and the sub-contractor to the City regarding the DPBIA. The informal committee of downtown business owners advises the Chamber of Commerce on expenditures and assists in the creation of the annual budget. As part of the contract, the Chamber provides an annual accounting of expenditures for the BIA funds.

The Chamber has submitted a report, which was provided to the Council at the May 23, 2023 meeting and is Exhibit A to the proposed Resolution confirming the assessment. The Downtown Parking and Business Improvement Area assessments collected by the City are estimated at approximately \$14,540 annually. The recommended action would confirm the assessment and collection of these funds for downtown revitalization activities for 2023/2024. The report does not propose any changes to the boundaries of the DPBIA or of the assessment.

The Chamber of Commerce is proposing expenditures for 2023-2024 with the Downtown Parking and Business Improvement Area funds as follows:

	<u>2022-2023</u> <u>ESTIMATED</u>	<u>2023-2024</u> <u>REQUESTED</u>
<u>REVENUES</u>		
BIA Assessments- Received from the City	\$ 13,696	\$ 14,540
Revenue from Events	-	-
Total Revenues	<u>13,696</u>	<u>14,540</u>
<u>EXPENSES</u>		
Events	(4,325)	(8,000)
Beautification / Miscellaneous	-	(30,745)
Marketing	(816)	(2,057)
Administration	<u>(1,396)</u>	<u>(1,454)</u>
Total Expenses	<u>(6,537)</u>	<u>(42,256)</u>
Net Income	7,159	(27,716)
BEGINNING AVAILABLE BALANCE	<u>20,557</u>	<u>27,716</u>
ENDING AVAILABLE BALANCE	<u>\$ 27,716</u>	<u>\$ -</u>

The proposed expenditures will focus to a combination of events and beautification ideas to help promote the downtown and strengthen the businesses in the area. In 2022/2023, the Downtown business owners organized Trick-or-Treat on Entrada Ave, Santa's Photo Shop, #ATownWithHeart, and At Her Table events. In 2023/2024, the Chamber will be working with Downtown business owners to use beautification funds to install string lighting over Entrada Ave.

The City will collect funds for the Downtown Parking and Business Improvement Area along with business license fees in December and January.

FISCAL IMPACT:

Adopting the staff recommendation will result in the collection of approximately \$14,540 and expenditure of \$14,540 in budgeted DPBIA funds.

ALTERNATIVES:

1. The City Council may choose not to adopt the Resolution, confirming the levy of the assessment as recommended, and discontinue the levy.
2. The City Council may grant Downtown Parking and Business Improvement Area assessment funds in an amount lower than requested.

ATTACHMENTS:

1. Draft Resolution

DRAFT RESOLUTION

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, CONFIRMING
DOWNTOWN PARKING AND BUSINESS IMPROVEMENT AREA
ASSESSMENT FOR FISCAL YEAR 2023/2024**

WHEREAS, the City of Atascadero established a Downtown Parking and Business Improvement Area (DBPIA) consistent with Section 36500 et seq. of the Streets and Highways Code of the State of California; and

WHEREAS, Section 36533 of the Streets and Highway Code of the State of California requires a report to be filed with the City prior to the levy and collection of the assessment; and

WHEREAS, the City Council determined in 2010 to set the assessment at \$0.00 to provide a stimulus to downtown businesses in this time of unprecedented economic downturn, eliminating the need for a report in accordance with Section 36533 of the Streets and Highway Code of the State of California; and

WHEREAS, the City Council reinstated the full levy of the assessment for the DPBIA in 2018 at the request of downtown businesses; and

WHEREAS, the City has entered into an agreement with the Chamber of Commerce, which serves as the advisory body and the sub-contractor to the City regarding the DPBIA; and

WHEREAS, an informal committee of downtown business owners advises the Chamber of Commerce on expenditures and assists in the creation of the annual budget; and

WHEREAS, the Atascadero Chamber of Commerce filed a report with the City in accordance with Section 36533 of the Streets and Highway Code of the State of California attached hereto and incorporated herein by this reference; and

WHEREAS, the City Council having received the report adopted Resolution No. 2023-033 declaring intent to levy annual Downtown Parking and Business Improvement Area assessment pursuant to Section 36534 of said code; and

WHEREAS, the City Council did fix a time and place for a public hearing on the levy of the proposed assessment for fiscal year 2023-2024; and

WHEREAS, on June 13, 2023, the City Council conducted a public hearing at the date and time for such purpose; and

WHEREAS, the City Council did not receive the required number of protests for the levy of such assessment.

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

SECTION 1. The City Council of the City of Atascadero does hereby confirm approval of the Section 36533 Report as originally filed and confirmation of approval of such report constitutes the levy of an assessment for fiscal year 2023-2024, pursuant to the Streets and Highways Code of the State of California.

SECTION 2. The Atascadero Chamber of Commerce is hereby designated to receive and manage, with direction from the downtown businesses, Downtown Parking and Business Improvement Area assessment funds for fiscal year 2023-2024.

SECTION 3. The City Council directs staff to make appropriations in the City’s budget in accordance with such report.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___ 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

Exhibit A

Atascadero Chamber of Commerce Downtown Parking and Business Improvement Area Annual Report for Fiscal Year 2023-2024

The California Streets and Highways Code Section 36533 requires the preparation of a report for each fiscal year for which assessments are to be levied and collected to pay the costs of improvements and activities of the Improvement Area. The report may propose changes, including, but not limited to the boundaries of the Parking and Business Improvement Area or any benefit zones within the area, the basis and method of levying the assessments, and any changes in the classification of businesses.

No boundary changes are proposed for Fiscal Year 2023-2024. The boundaries are more specifically described as follows:

From the south corner of Morro Road at the Highway 101 over-crossing then in the generally northwest direction immediately adjacent to Highway 101, to a point at the intersection of El Camino Real and Rosario Avenue, then easterly along Rosario Avenue, to a point at the intersection of Rosario and Palma Avenue, then easterly along Palma Avenue to the rear lot line of parcels on the east side of Traffic Way, then north along said rear lot lines to include Lot 24 of Block LA, of Atascadero, then northerly along the center line of Traffic Way, to a point, then easterly to include the presently existing National Guard Armory Property. Then to a point easterly to the intersection of West Mall and Santa Ysabel Avenue at the West Mall bridge, then southerly along Santa Ysabel Avenue to a point at the intersection of the southerly leg of Hospital Drive and Santa Ysabel Avenue, then easterly from that point to the extension of proposed Highway 41, then southwesterly to the Morro Road/Highway 101 over-crossing, point of beginning.

Since 2000, the City, Community Redevelopment Agency, Chamber of Commerce, other organizations and the community have worked to strengthen the downtown business community, and implement the downtown revitalization strategy. In 2009, as the economic downturn was affecting businesses, the City Council made the decision to levy a \$0 assessment on the businesses in the District. The State of California dissolved all redevelopment agencies in 2011, and the City, Chamber of Commerce, and other organizations have worked in collaboration to continue the efforts of the Community Redevelopment Agency to provide better services to and strengthen the businesses in the downtown.

In 2017, an informal committee of downtown business owners formed to promote economic vitality and encourage business growth in the downtown. This committee will advise the Chamber of Commerce on expenditures and will assist in the creation of the annual budget for the Downtown Parking and Business Improvement Area (DPBIA). The Atascadero Chamber of Commerce will serve as the advisory body and the

sub-contractor to the City regarding the Downtown Parking and Business Improvement Area. The Chamber of Commerce is requesting that the City levy an assessment of 100% of the business license fee for businesses in the DPBIA. Each licensed business in the Improvement Area shall contribute to the assessment. Activities and improvements in the DPBIA are funded by the assessment.

The proposed work plan and budget for Fiscal Year 2023/2024 is as follows:

	2022-2023 ESTIMATED	2023-2024 REQUESTED
<u>REVENUES</u>		
BIA Assessments- Received from the City	\$ 13,696	\$ 14,540
Revenue from Events	-	-
Total Revenues	<u>13,696</u>	<u>14,540</u>
<u>EXPENSES</u>		
Events	(4,325)	(8,000)
Beautification / Miscellaneous	-	(30,745)
Marketing	(816)	(2,057)
Administration	(1,396)	(1,454)
Total Expenses	<u>(6,537)</u>	<u>(42,256)</u>
Net Income	7,159	(27,716)
BEGINNING AVAILABLE BALANCE	<u>20,557</u>	<u>27,716</u>
ENDING AVAILABLE BALANCE	<u>\$ 27,716</u>	<u>\$ -</u>

This report shall be filed with the City Clerk on behalf of the DPBIA for Fiscal Year 2023-2024.



Atascadero City Council

Staff Report – City Manager’s Office

Atascadero Tourism Business Improvement District (ATBID) Confirmation of Annual Assessment (Fiscal Year 2023-2024)

RECOMMENDATIONS:

Council adopt Draft Resolution, confirming the annual assessment for the Atascadero Tourism Business Improvement District (Fiscal Year 2023-2024).

DISCUSSION:

The City of Atascadero established the Atascadero Tourism Business Improvement District (ATBID) to levy annual assessments under the Parking and Business Improvement Area Law of 1989, by adopting Title 3, Chapter 16 of the Atascadero Municipal Code in April 2013. The activities to be funded by the assessments, on lodging businesses within the ATBID, are tourism promotions and marketing programs to promote the City as a tourism destination. The formation and operation of a Tourism Business Improvement District is governed by the California Streets and Highways Code (Section 36500 et. Seq.). The budget for the ATBID is submitted in conjunction with the City’s annual budget.

The City Council appointed ATBID Advisory Board Members to serve at the pleasure of the Council. The Advisory Board is made up of lodging business owners or employees, or other representatives holding the written consent of a lodging business owner within the ATBID area. Lodging owners are assessed (2%) of the rent charged by the business per occupied room or space per night for transient occupancies.

The Streets and Highways Code requires that the Advisory Board provide a specific report to the City Council annually for the expenditure of funds derived from the assessment paid by lodging businesses within the City. The annual report must identify: (1) proposed activities, programs, and projects for the fiscal year; (2) the approximate cost of such activities, programs, and projects for the fiscal year; (3) the amount of surplus debt or deficit revenues carried over from a previous fiscal year; and (4) contributions received other than assessments. The annual report must meet the requirements of the California Streets and Highways Code Sec. 36533. Council may approve the report as filed or may modify any particular contained in the report and approve it as modified.

ATBID revenue in fiscal year 2022-23 is expected to be approximately \$422,800, exceeding projected revenue of \$298,170 by \$124,630. In fiscal year 2023-24, revenue is projected to be approximately \$414,120, and expenses are projected to be \$419,890. The ATBID fund balance is projected to be \$657,990 at June 30, 2024.

Following the public hearing, staff recommends that Council adopt the proposed Resolution. Adoption of the Resolution constitutes the levying of the assessment.

FISCAL IMPACT:

Annual assessments are expected to be approximately \$414,120 and expenditures are budgeted at \$419,890 for fiscal year 2023-2024.

ALTERNATIVE:

Council may direct staff to amend the Resolution before adoption.

ATTACHMENTS:

1. Draft Resolution

DRAFT RESOLUTION

**RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ATASCADERO, CALIFORNIA, CONFIRMING
ATASCADERO TOURISM BUSINESS IMPROVEMENT DISTRICT
(ATBID) ASSESSMENT FOR FISCAL YEAR 2023/2024**

WHEREAS, the City of Atascadero established the Atascadero Tourism Business Improvement District (ATBID) consistent with Section 36500 et seq. of the Streets and Highways Code of the State of California; and

WHEREAS, the City Council has determined to set the assessment at two percent (2%) of the rent charged by the Business per occupied room or space per night for transient occupancies; and

WHEREAS, the purpose of this assessment is to provide tourism promotions and marketing programs to promote the City as a tourism destination pursuant to the Streets and Highways Code of the State of California; and

WHEREAS, the City Council, having received the annual report from the ATBID, adopted Resolution No. 2023-034, declaring intent to levy annual ATBID assessment pursuant to Section 36534 of the California Streets and Highways Code; and

WHEREAS, the City Council did fix a time and place for a public hearing on the levy of the proposed assessment for fiscal year 2023-2024; and

WHEREAS, on June 13, 2023, the City Council conducted a public hearing at the date and time for such purpose; and

WHEREAS, the City Council did not receive the required number of protests for the levy of such assessment.

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

SECTION 1. The City Council of the City of Atascadero does hereby confirm the assessment at two percent (2%) of the rent charged by the Business per occupied room or space per night for transient occupancies.

PASSED AND ADOPTED at a regular meeting of the City Council held on the ___th day of June, 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



Atascadero City Council

Staff Report – Administrative Services Department

2023-2025 Operating and Capital Budget

RECOMMENDATIONS:

Council:

1. Adopt Draft Resolution A, adopting the budgets for the 2023-2024 and 2024-2025 fiscal years and delegating to the City Manager the authority to implement same; and
2. Adopt Draft Resolution B, amending the fiscal year 2022-2023 budget; and
3. Adopt Draft Resolution C, adopting the fiscal year 2023-2024 annual spending limit; and
4. Adopt Draft Resolution D, reaffirming the necessity of Development Impact Fees; and
5. Approve the 2021-2023 City of Atascadero Draft Action Plan.

REPORT-IN-BRIEF:

The budget for fiscal years 2023-2024 and 2024-2025 was reviewed by the Finance Committee during six public meetings held in April and May. Included in the budget document is the Budget Message, which provides a detailed analysis of the budget philosophy and process, trends and changes to service levels, and the key priorities for the next two years. Also included in the document are the Draft Resolutions adopting the proposed 2023-2025 budget, amending the 2022-2023 budget, adopting the 2023-2024 annual spending limit and reaffirming the necessity of Development Impact Fees.

An integral part of the budget planning process is the development of an action plan outlining the strategic priorities and actions to be taken 2023-2025. The goal setting workshop held on February 10-11, 2023 was the foundation for both the Budget and the companion Action Plan. On March 14, 2023, Council adopted the 2023 Strategic Planning Statements and Strategic Priorities (Statements & Priorities) and on April 25, 2023 Council reviewed the Draft Action Plan providing further direction. In conjunction with the 2023-2025 Budget, the separate 2023 Action Plan document is attached for Council approval.

FISCAL IMPACT:

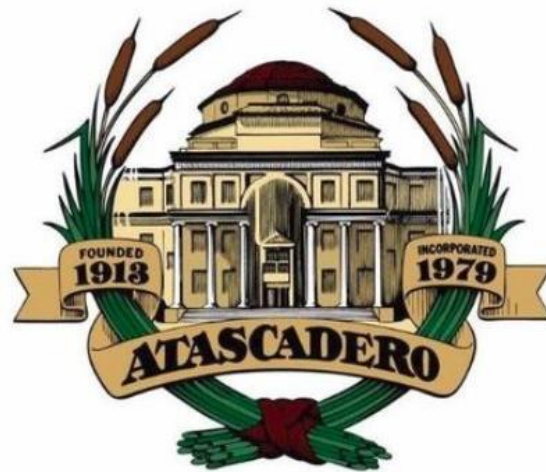
The total revenues for all funds are budgeted at \$67,908,930 and \$58,390,010 for fiscal years 2023-2024 and 2024-2025, respectively. Total expenditures for all funds are budgeted at \$86,968,290 and \$66,994,120 for fiscal years 2023-2024 and 2024-2025, respectively.

ATTACHMENT:

1. The City of Atascadero Draft Budget for fiscal years 2023-2024 and 2024-2025 may be viewed in the Office of the City Clerk or online at www.atascadero.org/budget. (Also included in the document are the Draft Resolutions adopting the proposed 2023-2025 budget, amending the 2022-2023 budget, adopting the 2023-2024 annual spending limit, and reaffirming the necessity of Development Impact Fees.)
2. 2023-2025 City of Atascadero Draft Action Plan

Atascadero Draft Budget for Fiscal Years 2023-2024 and 2024-2025

The City of Atascadero Draft Budget for Fiscal Years 2023-2024 and 2024-2025 may be viewed online at www.atascadero.org/budget or by appointment in the Office of the City Clerk.



CITY OF ATASCADERO

Action Plan

6/13/23

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Strategic Priorities

Three current strategic priorities were carried forward from the 2021-2023 Strategic Plan and were reshaped with revised key areas of focus.

- **Economic and Community Vibrancy**
- **Fiscal and Infrastructure Efficiency & Sustainability**
- **Ensuring Public Safety and Providing Exceptional City Services**

ECONOMIC AND COMMUNITY VIBRANCY

Key Focus Areas:

- **Downtown Vitality**
- **Activation of Underutilized Sites and Nodes**
- **Business Support and Jobs/Housing Balance**
- **Neighborhood Compatibility and Wellness**

Downtown Vitality

- Construct the Downtown Infrastructure Enhancement Plan (DIEP) to provide increased safety, Downtown walkability, business support, parking availability
 - Conduct purposeful, targeted campaign for 'We Are Open for Business' as part of the Downtown Infrastructure Enhancement Plan (DIEP)
- Complete Downtown paving project (pavement markings, ADA ramps, drainage issues, sidewalk repairs)
- Continue Street Tree Renewal Program with goal of having all trees and tree wells replaced and/or filled in compliance with adopted Street Tree Renewal Program (throughout the Downtown core)
 - Establish Downtown Streetscape Education Campaign that communicates ownership and maintenance responsibilities of trees, sidewalks, streets, etc
- Facilitate Chamber/ Business Improvement Area (BIA) project to install string lights over Entrada Ave
- Maintain the Atascadero Creek as a quality aesthetic feature to be enjoyed by all
 - Promote the voluntary creek clean-up program as a way to keep the creek free of trash
 - Explore permits and programs to manage vegetation and fuels in the creek
 - Continue homeless outreach programs and the Orange Bag Program to help keep the creek clean, safe and healthy
- Incentivize additional restaurants through the Restaurant Loan Program
- Explore zoning code changes to increase vibrancy
 - Research the ability to enforce regular operating hours
 - Introduce a better definition of retail zoning in the Downtown
 - Consider up-zoning/mixed-use/potential incentives as part of the General Plan Update
 - Explore incentives and code revisions to expedite the relocation of nonconforming uses and the occupancy of vacant buildings Downtown
 - Consider adjusting building height limitations in the Downtown as part of the general plan process and future zoning updates
- Engage property owners and tenants to encourage compatible development of vacant lots

- Continue to facilitate and promote current and future uses of vacant lots in Colony Square
- Continue to facilitate continued operation of the Downtown theater
- Facilitate redevelopment of underutilized properties along Sunken Gardens/East Mall/West Mall
- Facilitate development of City-owned East Mall properties:
 - Research ways to incentivize development of property consistent with Council long-term vision and PD37 (\$0 sale or forgivable loan)
 - Ensure sale and development of properties are done without delay
 - Complete sale of property to developer and facilitate prompt development of properties in accordance with PD37
- Aggressively pursue the Armory site as a potential location for the Public Safety Center/Fire Station #1
- Implement Police Department special assignment position to provide business liaison to address Downtown concerns
- Acknowledge historical significance & importance of Printery in Downtown and look for opportunities to assist the Printery in obtaining grant funding.
- Continue to plan and host successful signature events
- Look for opportunities to facilitate and sponsor events designed to increase tourist activity
- Continue to build out First Friday events designed to stimulate business activity in the Downtown
- Facilitate increased activity and use of The Plaza on El Camino
- Communicate collaboratively with businesses to encourage a sense of pride, ownership, positive attitude, and harmony that promotes Downtown vibrancy

Activation of Underutilized Sites and Nodes

- Consider developing design “themes” for Commercial Nodes
- Complete transportation operational analysis, develop transportation concept plan, and adopt plan lines at nodes
- Creatively support development at Del Rio, Dove Creek & San Anselmo nodes
 - Begin exploringExplore transportation improvements at San Anselmo/ECR and San Anselmo/101 intersections
- Investigate potential rezone/road abandonment for The Oaks Center (Spencer’s, Guest House, et.al)
- Creatively support retail or hospitality buildout of Springhill/Home Depot node
- Facilitate redevelopment of underutilized industrial zoned sites (Via, Sycamore)

Business Support and Jobs/Housing Balance

- Pursue land uses that support business and jobs/housing balance
 - Complete General Plan Update and begin General Plan implementation strategies including municipal code updates designed to streamline zoning policies
 - Continue to work toward meeting our RHNA affordable housing goals
- Continue to facilitate enhancement of fiber-optic broadband infrastructure access for residents and businesses
 - Leverage earmarked broadband funds to increase broadband speed, reliability and access, while reducing costs for residents and businesses
 - Use completed Broadband Strategic Plan to apply for additional available funding through Federal and State grants to advance connectivity
 - Find ways to increase consumer ISP choices
 - Consider adjusting permitting fees to encourage fiber-optic broadband development
 - Develop micro-trenching policy
 - Consider developing a “Dig Once” policy
- Investigate ways we can support and capitalize on the proposed Space Port
- Look for ways to toot our own horn and continue to publish proof that we are easy to work with!
- Launch a business attraction social media campaign
- Continue to support regional economic development efforts
- Support expansion of family entertainment opportunities
- Continue to support Chamber and other non-profit partnerships

Neighborhood Compatibility and Wellness

- Establish Objective Design Guidelines to support Quality Development and transitions between zoning districts
- Look for opportunities for trail/pedestrian connections
- Prepare thoughtful, targeted educational materials for residents/neighbors on SB 9, ADUs, and zoning
- Participate in and present at local ADU workshops
- Explore options for short-term rental ordinance by bringing a discussion item to Council. (No staff report)

FISCAL AND INFRASTRUCTURE EFFICIENCY & SUSTAINABILITY

Key Focus Areas:

- **Asset Management/Replacement/Modernization**
- **Financial Strategies**
- **Transparency and Accountability**

Asset Management/Replacement/Modernization

- Examine life cycle costs for capital projects and purchases
- Look for opportunities and grants to fund infrastructure
- Purchase and implement Asset Management software
 - Conduct inventory and condition assessment of City assets
 - Establish procedures for proactive monitoring
 - Develop a sustainable replacement plan and prioritize funding for City assets
- Begin replacing Fire Station #1
 - Aggressively pursue obtaining Armory property within first year
 - Explore feasibility of co-located Public Safety Center for Fire, Police, Dispatch and Emergency Operation Center (EOC)
 - Pursue grants, low interest loans and financing to fund project
 - Increase projected annual allocation to reflect high cost of construction for essential services facilities
- Develop Zoo capital improvement and funding plan to discern the viability of continuing AZA accreditation
 - Collaborate with Friends of the Charles Paddock Zoo (Friends) to maximize fundraising and increase awareness
 - Work with Friends to develop and implement plan to raise \$1,000,000 in the next two years for construction of the Madagascar Biodiversity Hot Spot
 - Consider City matching capital funding for Madagascar Biodiversity Hot Spot
- Update wastewater treatment plant retrofit and secondary treatment improvements
 - Add additional staff and/or consultants to manage Wastewater Treatment Plant Update Project
 - Begin design of treatment plant upgrades
 - Pursue grants, low interest loans and financing to fund project
 - Discuss potential policies related to wastewater capacity charges and other development fees that may discourage desired business types
 - Pursue collaboration with Atascadero State Hospital on common wastewater solutions

- Based on the availability of grant funding, begin planning to extend sewer to priority eligible sewer expansion areas
- Continue to address key deferred maintenance issues in parks and public facilities
- Begin replacement of the financial system
- Expand energy infrastructure (back-up generators, redundancy)
- Consider sidewalk repair amnesty or other limited assistance program
- Update City Engineering Standards to provide safe and consistent public improvements

Financial Strategies

- Develop balanced strategy of operational expenditures vs. capital/one-time expenditures that will accommodate future growth ~~for Measure D-20 funds~~
- Adopt budgets and fiscal strategies that:
 - Continue conservative Council/general fiscal strategy
 - Prepare the City for changing economic conditions
 - Build and maintain responsible reserves for asset replacement
 - Maintain a healthy general fund reserve
- Continue fiscal strategies and adjust plans as needed to allow the City to respond to changes in a fiscally sustainable manner
- Renew F-14 on the 2024 ballot
- Implement opportunities, strategies and plans to grow the organization as the community grows
- Invest in full and part time staff
- Develop responsible reserves for unfunded liabilities (non-asset)
 - Explore and consider funding Section 115 Trust for pensions
 - Consider additional payments for unfunded pension liability (UAL)
- Ensure that the resources (tools, equipment, facilities, technology) are available to assist staff and to build staff capacity
- Identify and invest in tools, equipment and facilities to increase long-term operational efficiencies. Invest in:
 - Agenda management solution
 - Digital plan check software, equipment and process
 - Records organization, scanning and destruction
 - Other time savers
- Prepare and strategically implement new impact fee study
- Perform critical third-party review of permitting process towards essentialism

- Remain active in the League of CA Cities for City's rights and sales tax allocation statewide
- Actively look for creative investment opportunities
- Capitalize on grant opportunities to accomplish action plan goals
- Explore public and private partnerships to achieve action plan goals
- Establish Citywide primary survey benchmark system to reduce Public Works and Technology staff time and to streamline development
- Hire grant writing consultant

Transparency and Accountability

- Continue to look for ways in which technology can increase and clarify transparency and accountability
- Complete overhaul of City website. (simplify, eliminate old data and make it more efficient)
 - Continue to devote resources to keep website up-to-date
- Continue and build upon outreach efforts for Measure D-20 and Measure F-14 sales tax measures
 - Develop outreach program highlighting available information on use of F-14 funds
 - Refine Measure D-20 annual report to include results and performance measures
 - Continue to publish and distribute Measure D-20 and Measure F-14 annual reports
- Improve transparency and understandability of financial reports
 - Consider alternate financial presentation to demonstrate balanced budget
 - Make Finance Committee meetings available virtually
- Implement records management program to facilitate access to public records
- Increase transparency and public awareness of Zoo
- Implement an online payment and tracking system for City fees and tax payments
- Create and incentivize a new customer satisfaction survey for permit/planning processes
- Ensure that all messaging is accessible and consistent across all media platforms
- Improve wi-fi at City Hall and the Zoo
- Continue community engagement in decision-making discussions
- Improve emergency planning communications with business community through the fire inspection program

ENSURING PUBLIC SAFETY AND PROVIDING EXCEPTIONAL CITY SERVICES

Key Focus Areas:

- Staff
- Unhoused Population
- Flourishing Community

Staff

- Hire and retain an adequate level of staffing to achieve our priorities
 - Work toward long-term goal of 2 emergency dispatchers on duty at all times
 - Develop and implement organizational changes to reduce span of control for Public Safety supervision
 - Work toward long-term goal of additional Fire & Emergency Response resources
 - Develop strategies to ensure adequate staffing based on projected changes to workload as community grows/demands change
- Provide competitive salaries/benefits and appropriate classifications for all employees
- Continue to maintain and look for opportunities to enhance other hiring, retention, employee growth and development programs
 - Provide training and professional development opportunities
 - Facilitate employee promotional opportunities with an eye toward succession planning
 - Explore a wider City employee recognition/commendation program
 - Explore other retention and attraction strategies (low cost loans?)
- Work to ensure that employees have the tools necessary to do their job
- Continue to support and promote mental health and wellness services for employees
- Continue to prioritize a culture that emphasizes working together as one team (no silos) and treating each other like family.
- Complete an essentialism evaluation of each department to identify lower priority programs and activities
- Roll out updated mission statement
- Hire for heart

Unhoused Population

- Expand training and education of staff and community members on available support resources for our unhoused population
- Continue to train and educate staff and community members on compassionate interactions with our under-represented residents
- Build Outreach for Underrepresented Residents (OUR) Team program with a focus on:
 - Connecting homeless/underrepresented individuals with services
 - Providing a resource for community concerns
 - Participate in multi-jurisdictional information sharing system to more effectively provide services and respond to community needs
- Look for opportunities to assist ~~Non-profits~~ ~~GOs~~ in facilitating pathways out of homelessness
- Participate in crafting and developing regional solutions to address homelessness
- Advocate for addiction and mental health programs
- Collaborate with the County in looking~~Look~~ for opportunities and grants to provide resources to respond to future opportunities to support underrepresented residents
- Optimize use of opioid settlement funds to support local programs and partnerships
- Support partner non-government organizations outreach efforts
- Consider revisions to the municipal code to strengthen the camping ordinance and create a shopping cart ordinance that does not require a large upfront capital investment from local businesses
- Implement strategies for ongoing areas of public concern including design of public spaces
- Continue to perform regular clean-ups of problem encampments
- Continue to perform vegetation management activities in the Downtown District

Flourishing Community

- Adopt list of historic structures and implement General Plan policy
- Implement Community Choice Energy
- Continue to meet requirements for AZA accreditation for the Charles Paddock Zoo
- Consider name change for zoo to Central Coast Charles Paddock Zoo

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DATE: 06/13/23
ATTACHMENT: 2

- Increase awareness of available recreational scholarships for lower income residents
- Consider expanding recreational scholarship program to all low-income residents
- Improve communications with the schools on common city/school issues like vaping, food distribution resources and safe corridors for kids
- Continue robust communications regarding community wildfire preparedness and evacuation planning