



**ENGINEER'S REPORT FOR LANDSCAPE & LIGHTING-  
MAINTENANCE DISTRICT NO. 1  
CITY OF SIGNAL HILL**



**N|V|5**

April 26, 2022

Attachment B

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# **SECTION 1**

## **DESCRIPTION OF DISTRICT AND FACILITIES**

### **INTRODUCTION**

The Landscape & Lighting Maintenance District No. 1 (LLMD) was formed to provide a source of funds for the installation, servicing, repair and operation of landscaping and appurtenant facilities within the District boundaries.

Proposition 218 (Article XIII D of the California Constitution), “The Right to Vote on Taxes Act”, was approved by voters on November 5, 1996. The passage of Proposition 218 limits the ability of local government to generate revenue using special assessments, local taxes, fees and charges without taxpayer or property owner approval.

Proposition 218 requires approval by a majority of property owners for all new or increased assessments. In order to levy assessments, the Act generally requires that a mailed ballot be sent to all property owners, and that a majority would have to return their ballots in favor of the proposed assessment compared to those opposed to it, weighted by the amount of assessment to be collected from each property.

The Act stipulates that assessments may only be levied for special benefits, and requires that all assessments be supported by a detailed Engineer’s Report prepared by a Registered Professional Engineer certified by the State of California. Based upon this requirement, a detailed analysis of the improvements or operations and maintenance expenses to be funded will be needed to demonstrate that the properties being assessed receive a special benefit over and above the benefits conferred on the general public.

#### **A. NAME**

The District is entitled “Landscape & Lighting Maintenance District No. 1”

#### **B. BOUNDARY**

The boundaries of the Landscape & Lighting Maintenance District No. 1 currently include parcels included in Section 6 Assessment Diagram.

Exact dimensions of each parcel are shown on the Los Angeles County Assessor’s maps.

#### **C. FACILITIES – LANDSCAPE IMPROVEMENTS**

##### Landscaping

Servicing means, the furnishing of water for the irrigation of said landscaping, or the maintenance of any other improvements within the landscape areas.

Maintenance means, the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including:

1. Repair, removal or replacement of all or any part of any landscape improvement, including walls and fencing.
2. Providing for the life, growth, health and beauty of landscaping, including without limitation, cultivation, irrigation, trimming, spraying, fertilizing, or treating disease or injury.
3. The removal of trimmings, rubbish, debris and other solid waste.

The plans and specifications for the irrigation and landscaping were prepared by the developer and previously approved by the City Engineer. These plans and specifications will serve as the benchmark for landscape maintenance standards. Landscaping generally consists of trees, shrubs, ground cover, automatic irrigation, turf, and perimeter walls along the length of the tract facing Temple Avenue, on landscape easement areas and public entry easement areas within Tract 48512. This will include those areas within Public Right-of-Way (including the median island on 20<sup>th</sup> Street and areas adjacent to perimeter tract walls as such walls are shown on preliminary grading plan and Conceptual Landscape Plans.) Reference is hereby made to the said plans and specifications for the exact location and nature of the landscaping improvements. Said plans and specifications by reference are hereby made a part of this report and are on file in the City Clerk's Office in City Hall and are available for public inspection.

Condition No. 3 of the amended Site Plan and Design Review 89-15 "Conditions of Approval makes the oil operator solely responsible for the cost of replacing and maintaining landscaping of Lots 17, 43, 73 and 79. The requirements of oil facility servicing presents heavy additional landscaping requirements for the oil lots. Regular well servicing requires the use of large heavy equipment, which can do extensive damage to grass and other landscaping. In addition, oil spills can regularly occur during work on oil production facilities. Spilled oil presents additional maintenance and landscaping replacement requirements since oil has the tendency to kill or damage surrounding landscaping.

Landscaping in the right-of-way of Temple Avenue on the east side, adjacent to Tract No. 48512, for the entire length of said tract will be maintained by the Lighting and Landscape Maintenance District No. 1 and funded by same.

### Lighting

Street lighting is not included in the district since lighting is standard throughout the remainder of the City.

## SECTION 2

### PROPOSED DISTRICT BUDGET

#### GENERAL

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

#### BUDGET

The estimated Fiscal Year 2022-23 expenditures for maintenance and administration for the District under consideration for this report have been provided by the City and are as follows:

| <b>Budget Account Name</b>         | <b>Account Number</b> | <b>Amount</b>      | <b>Comments</b>               |
|------------------------------------|-----------------------|--------------------|-------------------------------|
| Salaries & Benefits *              | 260-40-5110           | \$20,409.73        | Staff cost reimbursement      |
| Contract Services **               | 260-40-5400           | \$9,564.63         | Assessor, Engineering & Legal |
| Utility Services (Water) ***       | 260-40-5512           | \$6,688.32         | Water Services                |
| Utility Services (Electric) ***    | 260-40-5512           | \$558.00           | Electric Services             |
| Maintenance & Supplies             | 260-40-5520           | \$4,000.00         | Special Projects              |
| Lawn Care Services                 | 260-40-5530           | \$15,416.36        | Landscape services contract   |
| General Supplies                   | 260-40-5740           | \$100.00           | General Supplies              |
| <b>Total Budgeted Expenditures</b> |                       | <b>\$56,737.04</b> |                               |
| <b>Reserve Budget</b>              |                       | <b>\$27,944.95</b> |                               |
| <b>Grand Total</b>                 |                       | <b>\$84,681.99</b> |                               |

\*Staff Budget is 5% time allocated to contract managers, maintenance supervisors, and senior maintenance workers

\*\*City Attorney Fees, Assessment Engineering, LA County Assessor

\*\*\* Based upon historical usage

The reserve budget is a reserve for additional maintenance work such as wall repair/paint, fence repair/paint, plant removal/replacement, sprinkler replacement, drainage installation and general maintenance and cleanup work.

The Overall budget has been broken to three zones as follows:

|                 |                     |
|-----------------|---------------------|
| <b>Zone A</b>   | <b>\$ 7,634.30</b>  |
| <b>Zone B</b>   | <b>\$ 0</b>         |
| <b>District</b> | <b>\$ 77,047.69</b> |

## **SECTION 3**

### **BASIC DATA AND FINDINGS**

#### **BASIC DATA**

Data has been compiled from the County Assessor's maps, Development Services Department records.

##### **LLMD No. 1**

|                          |                          |
|--------------------------|--------------------------|
| 1. Total Assessable Lots | 95                       |
| 2. Zoning                | Residential & Industrial |
| 3. Total Proposed Units  | 95                       |

#### **FINDINGS**

Individual parcels within a landscape district will receive benefits based on land use, size and location of landscaping improvements to be installed, operated or maintained. In the case of Landscape and Lighting Maintenance District No. 1, all parcels are zoned for either residential or industrial usage for the current year. We have investigated the properties in the District and have determined that there are no public properties that benefit from the improvements. There are public streets, public right-of-way, and easements within the District, but they do not benefit from the improvements.

## SECTION 4

### ASSESSMENT METHODOLOGY

#### GENERAL

Part 2 of Division 15 of the Streets and Highways Code, entitled the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which includes the maintenance of landscaping and the maintenance and operation of street lights.

The 1972 Act requires that maintenance assessments be levied according to benefit rather than according to assessed value. Section 22573 provides that:

“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 benefit to be received by each such lot or parcel from the improvements.”

The Act also permits the designation of zones of benefit within any individual assessment district if “by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement” (S&H S22574). Thus, the 1972 Act requires the levy of a true “assessment” rather than a “special tax.” The only public properties within the boundary of the District are public streets, public rights-of-way, and easements, and based upon our review do not receive special benefit.

#### SPECIAL BENEFIT DETERMINATION

Trees, landscaping, trails, hardscaping and appurtenant facilities, if well maintained, provide beautification, shade, access and enhancement of the desirability of the surroundings, and therefore increase property desirability and value. In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

“...there is no lack of opinion, based on general principals and experience and common sense, that parkways *do in fact add value* to property, even though the amount cannot be determined exactly... Indeed, in most cases where public money has been spent for parkways the assumption has been definitely made that the proposed parkway will show a provable financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City...”

It should be noted that the definition of “parkways” above may include the roadway as well as the landscaping alongside the roadway.

The City of Signal Hill considers the maintenance and upkeep of parkways and adjacent slopes to be the responsibility of the adjacent development due to the added beautification of the local community which extends to the perimeter of the development.

Improvements that provide a special benefit to an isolated group of parcels of land located within the District are considered to be a localized benefit, and the costs associated with these improvements are assessed to all assessable parcels receiving the localized benefit. Localized benefits include the construction, operation, services and maintenance of the improvements that only benefit the parcels located within the localized areas.

**Localized Landscaping** – Parcels that have localized landscaping such as entryway landscaping, parkway landscaping, etc. adjacent to or near their parcels directly benefit from the landscaping improvements and are assessed for the costs of the localized landscaping.

The City has determined that the landscaped areas owned by the City of Signal Hill or provided for by easements to the City of Signal Hill, the landscaping of open space easements and easements which are located in public rights-of-way in the City of Signal Hill, provides at least the following special benefits to all parcels within the District boundary: 1) That the landscaping is a direct enhancement to the value of each parcel; 2) That the subdivision will be more attractive and create a higher demand for prospective home buyers; 3) That the landscaping will create a sense of well-being and feeling community to each property owner; and 4) That home buyers will prefer to own a home within this subdivision rather than another non-landscaped project in another location.

## **ASSESSMENT METHOD**

The District includes all parcels plus 2 zones of special benefit. This Engineer's Report is for the area only in LLMD No. 1 for fiscal year 2022-23.

All parcels in the District will be assessed for the maintenance of those improvements that provide a special benefit to the parcel. Article XIID of the California Constitution defines special benefit as:

“A particular and distinct benefit over and above general benefits conferred on real property located in the district or to the public at large. General enhancement of property value does not constitute ‘special benefit’.”

An analysis of the improvements located within the District has shown that the improvements, which were installed as a condition of approval for the development of the project, provide a special benefit to the parcels in LLMD No. 1 over and above general benefits conferred on the public at large.

In order to develop these properties, the City required these improvements to be installed and maintained by the property owners. Therefore, each parcel in LLMD No. 1 could not have been developed without the installation and maintenance of the facilities.

The properties in LLMD No. 1 receive a direct enhancement of their property values due to the installation and ongoing maintenance of the improvements, and the presence of the landscaping makes the subdivision a more attractive place to live and provides a greater quality of life for the residents.

All of the improvements are located within LLMD No. 1. The improvements are very localized to the neighborhood in the District. The parcels in the District receive a special benefit above and beyond general benefit. The improvements along Temple Boulevard have some shared general benefit to the public at large. The maintenance of these improvements along Temple Boulevard will be funded in total by the City with no assessment levied on the District.

The methodology to be used to apportion the assessments to those parcels in LLMD No. 1 will be based upon the “special benefits” received by the parcels. Based upon the review of the District, it has been determined that the single family homes benefit approximately equally from the improvements depending upon whether they are in Zone A or not. It is recommended that each improved single family parcel be defined as one Equivalent Dwelling Unit (EDU) regardless of parcel size. The oil lots (Zone B) are not assessed at this time. These lots are self maintained. Landscape Easement lots will have a district wide benefit plus a Zone A benefit and will have 1 EDU assigned per lot.

The zones will be as follows:

Zone A – Landscape Easement Lot

Zone B – Oil Lot (No assessment)

District – All lots

## SECTION 5

### ASSESSMENT DETERMINATION

#### GENERAL

The following development of proposed assessment rates is based on the previously described methodology and utilizes data available for the District, and the Assessor's parcel information. NV5 believes the data to be accurate, and final assessments will be based upon these preliminary assessments and any changes made as a result of City Council action and/or public hearing.

#### ASSESSMENT CALCULATION

##### LLMD No. 1

##### Parcel Types

##### District's Cost per Zone

26 Landscape Easement lots

Zone A – **\$1,149.71 / EDU** (Includes District wide costs)

5 Oil lots

Zone B – **\$0.00 / EDU**

64 Residential lots

District wide – **\$856.09 / EDU**

95 Lots = 95 EDU

##### **Total Assessment Levy for LLMD**

##### Breakdown of Cost Per EDU

Parcels in Zone A = (Zone A Budget) / (Zone A Lots) + (District Budget) / (Total Lots)

Parcels in Zone A = \$7,634.30 / 26 + \$77,047.69 / 90 = **\$1,149.71 / EDU**

Parcels in Zone B = (Zone B Budget) / (Zone B Lots) + (District Budget) / (Total Lots)

Parcels in Zone B = \$0.00 + \$0.00 = **\$0.00 / EDU**

District Wide = (District Budget) / (Total Lots)

District Wide = \$77,047.69 / 90 = **\$856.09 / EDU**

#### ANNUAL ASSESSMENT RATE INCREASES

Based on information stated above and in Section 4 for the projected operations and maintenance costs associated with existing and for the future public improvements within Lighting & Landscape Maintenance District No. 1, a maximum assessment rate of \$856.09 per EDU has been established for the District; \$1,149.71/EDU for Zone A; \$0.00/EDU for Zone B for 2022-23 is being proposed. Annually, the City Council will determine the operations and maintenance budgeting needs for the zone and determine the annual assessment. The maximum assessment rate per EDU may be increased by the Consumer Price Index (CPI) by City Council approval each year. The annual assessment amount will not exceed these maximum rates unless a balloting process in compliance

with Proposition 218 is completed. The assessments will increase automatically by 10% in FY 2023-2024, another 10% in FY 2024-2025, 4% in FY 2025-2026, and by the CPI defined below every year thereafter. There will be a cap of 3% on the CPI increase each year.

Because the cost of maintaining the District may increase over time, the charge per EDU established in 2022-23 shall be increased by the annual increase in the Consumer Price Index (CPI) for Urban Wage Earners and Clerical Workers in the Los Angeles-Long Beach-Anaheim, CA Area (CPI), including all items as published by the US Bureau of Labor Statistics as of March 1 of each year for each year going forward.

## ASSESSMENT ROLL

| <b>Asmt<br/>No.</b> | <b>Assessor's<br/>Parcel No.</b> | <b>Land Use</b>        | <b>Units</b> | <b>Maximum Asmt<br/>FY 2022-23</b> |
|---------------------|----------------------------------|------------------------|--------------|------------------------------------|
| 1                   | 7217-006-041                     | Oil Lot                | 1            | \$0.00                             |
| 2                   | 7217-006-042                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 3                   | 7217-006-043                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 4                   | 7217-006-044                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 5                   | 7217-006-045                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 6                   | 7217-006-046                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 7                   | 7217-006-047                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 8                   | 7217-006-048                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 9                   | 7217-006-049                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 10                  | 7217-006-050                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 11                  | 7217-006-051                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 12                  | 7217-006-052                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 13                  | 7217-006-053                     | Residential            | 1            | \$856.09                           |
| 14                  | 7217-006-054                     | Residential            | 1            | \$856.09                           |
| 15                  | 7217-006-055                     | Residential            | 1            | \$856.09                           |
| 16                  | 7217-006-056                     | Residential            | 1            | \$856.09                           |
| 17                  | 7217-006-057                     | Oil Lot                | 1            | \$0.00                             |
| 18                  | 7217-006-058                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 19                  | 7217-006-059                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 20                  | 7217-006-060                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 21                  | 7217-006-061                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 22                  | 7217-006-062                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 23                  | 7217-006-063                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 24                  | 7217-006-064                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 25                  | 7217-006-065                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 26                  | 7217-006-066                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 27                  | 7217-006-067                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 28                  | 7217-006-068                     | Landscape Easement Lot | 1            | \$1,149.71                         |
| 29                  | 7217-006-069                     | Residential            | 1            | \$856.09                           |
| 30                  | 7217-006-070                     | Residential            | 1            | \$856.09                           |
| 31                  | 7217-006-071                     | Residential            | 1            | \$856.09                           |
| 32                  | 7217-006-072                     | Residential            | 1            | \$856.09                           |
| 33                  | 7217-006-073                     | Residential            | 1            | \$856.09                           |
| 34                  | 7217-006-074                     | Residential            | 1            | \$856.09                           |
| 35                  | 7217-006-075                     | Residential            | 1            | \$856.09                           |
| 36                  | 7217-006-076                     | Residential            | 1            | \$856.09                           |
| 37                  | 7217-006-077                     | Residential            | 1            | \$856.09                           |
| 38                  | 7217-006-078                     | Residential            | 1            | \$856.09                           |
| 39                  | 7217-006-079                     | Residential            | 1            | \$856.09                           |
| 40                  | 7217-006-080                     | Residential            | 1            | \$856.09                           |

| Asmt<br>No. | Assessor's<br>Parcel No. | Land Use               | Units        | Maximum Asmt<br>FY 2022-23 |
|-------------|--------------------------|------------------------|--------------|----------------------------|
| 41          | 7217-006-081             | Residential            | 1            | \$856.09                   |
| 42          | 7217-006-082             | Residential            | 1            | \$856.09                   |
| 43          | 7217-006-083             | Oil Lot                | 1            | \$0.00                     |
| 44          | 7217-006-084             | Residential            | 1            | \$856.09                   |
| 45          | 7217-006-085             | Residential            | 1            | \$856.09                   |
| 46          | 7217-006-086             | Residential            | 1            | \$856.09                   |
| 47          | 7217-006-087             | Residential            | 1            | \$856.09                   |
| 48          | 7217-006-088             | Residential            | 1            | \$856.09                   |
| 49          | 7217-006-089             | Residential            | 1            | \$856.09                   |
| 50          | 7217-006-090             | Residential            | 1            | \$856.09                   |
| 51          | 7217-006-091             | Residential            | 1            | \$856.09                   |
| 52          | 7217-006-092             | Residential            | 1            | \$856.09                   |
| 53          | 7217-006-137             | Residential            | 1            | \$856.09                   |
| 54          | 7217-006-139             | Residential            | 1            | \$856.09                   |
| 55          | 7217-006-141             | Residential            | 1            | \$856.09                   |
| 56          | 7217-006-143             | Residential            | 1            | \$856.09                   |
| 57          | 7217-006-145             | Residential            | 1            | \$856.09                   |
| 58          | 7217-006-147             | Residential            | 1            | \$856.09                   |
| 59          | 7217-006-099             | Residential            | 1            | \$856.09                   |
| 60          | 7217-006-100             | Residential            | 1            | \$856.09                   |
| 61          | 7217-006-101             | Residential            | 1            | \$856.09                   |
| 62          | 7217-006-102             | Residential            | 1            | \$856.09                   |
| 63          | 7217-006-103             | Residential            | 1            | \$856.09                   |
| 64          | 7217-006-104             | Residential            | 1            | \$856.09                   |
| 65          | 7217-006-105             | Residential            | 1            | \$856.09                   |
| 66          | 7217-006-106             | Residential            | 1            | \$856.09                   |
| 67          | 7217-006-107             | Residential            | 1            | \$856.09                   |
| 68          | 7217-006-108             | Residential            | 1            | \$856.09                   |
| 69          | 7217-006-109             | Residential            | 1            | \$856.09                   |
| 70          | 7217-006-110             | Residential            | 1            | \$856.09                   |
| 71          | 7217-006-111             | Residential            | 1            | \$856.09                   |
| 72          | 7217-006-112             | Residential            | 1            | \$856.09                   |
| 73          | 7217-006-113             | Oil Lot                | 1            | \$0.00                     |
| 74          | 7217-006-114             | Residential            | 1            | \$856.09                   |
| 75          | 7217-006-115             | Landscape Easement Lot | 1            | \$1,149.71                 |
| 76          | 7217-006-116             | Landscape Easement Lot | 1            | \$1,149.71                 |
| 77          | 7217-006-117             | Landscape Easement Lot | 1            | \$1,149.71                 |
| 78          | 7217-006-118             | Landscape Easement Lot | 1            | \$1,149.71                 |
| 79          | 7217-006-119             | Oil Lot                | 1            | \$0.00                     |
| 80          | 7217-006-120             | Residential            | 1            | \$856.09                   |
| 81          | 7217-006-121             | Residential            | 1            | \$856.09                   |
| 82          | 7217-006-122             | Residential            | 1            | \$856.09                   |
| 83          | 7217-006-123             | Residential            | 1            | \$856.09                   |
| 84          | 7217-006-124             | Residential            | 1            | \$856.09                   |
| 85          | 7217-006-125             | Residential            | 1            | \$856.09                   |
| 86          | 7217-006-126             | Residential            | 1            | \$856.09                   |
| 87          | 7217-006-127             | Residential            | 1            | \$856.09                   |
| 88          | 7217-006-128             | Residential            | 1            | \$856.09                   |
| 89          | 7217-006-129             | Residential            | 1            | \$856.09                   |
| 90          | 7217-006-130             | Residential            | 1            | \$856.09                   |
| 91          | 7217-006-131             | Residential            | 1            | \$856.09                   |
| 92          | 7217-006-132             | Residential            | 1            | \$856.09                   |
| 93          | 7217-006-133             | Residential            | 1            | \$856.09                   |
| 94          | 7217-006-134             | Residential            | 1            | \$856.09                   |
| 95          | 7217-006-135             | Residential            | 1            | \$856.09                   |
|             |                          |                        | <b>Total</b> | <b>\$84,681.99</b>         |

## SECTION 6

### ASSESSMENT DIAGRAM

The assessment diagram showing the boundaries of the District is on file in the offices of the City Clerk. A copy is included as "Exhibit A". For details of parcels and dimensions, see the Los Angeles County Assessor's Maps in the office of the Los Angeles County Assessor.

Respectfully submitted,

NV5

By \_\_\_\_\_

Jeffrey M. Cooper, P.E.  
R.C.E. No. 31572

Date April 26, 2022



# LANDSCAPE & LIGHTING MAINTENANCE DISTRICT NO. 1

CITY OF SIGNAL HILL, COUNTY OF LOS ANGELES  
STATE OF CALIFORNIA



## LEGEND

- ## PROPERTY NUMBER
- A LANDSCAPE EASEMENT LOT
- B OIL LOT (CURRENTLY NOT ASSESSED)
- ASSESSMENT DISTRICT AREA BOUNDARY
- ON-SITE PARCEL
- OFF-SITE PARCELS
- LANDSCAPE EASEMENTS

PREPARED BY:

NV5