



# FINANCE COMMITTEE AGENDA

**Tuesday, April 10, 2018**

**8:30 AM**

Executive Conference Room, Level Three  
Brea Civic & Cultural Center, 1 Civic Center Circle, Brea, California

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**MEMBERS:** Council Member Cecilia Hupp and Council Member Marty Simonoff  
**ALTERNATE:** Mayor Glenn Parker

Materials related to an item on this agenda submitted to the Finance Committee after distribution of the agenda packet are available for public inspection in the third floor lobby of the Civic and Cultural Center at 1 Civic Center Circle, Brea, CA during normal business hours. Such documents may also be available on the City's website subject to staff's ability to post documents before the meeting.

## CALL TO ORDER / ROLL CALL

1. Matters from the Audience

## CONSENT

2. Approval of Minutes of March 27, 2018 Meeting

### **Attachments**

03-27-18 Minutes

3. Annual Engineer's Report for Maintenance Districts Nos. 1, 2, 3, 4, 5, 6 and 7

### **Attachments**

Exhibit A

Engineer's Reports LLMD 1-7

LLMD1 Reso

LLMD2 Reso

LLMD3 Reso

LLMD4 Reso

LLMD5 Reso

LLMD6 Reso

LLMD7 Reso

***NOTE: This agenda is subject to amendments up to 72 hours prior to the meeting date.***

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## DISCUSSION

4. Schedule Next Meeting: April 24, 2018

cc: Mayor Pro Tem Christine Marick  
Council Member Steven Vargas

### **Special Accommodations**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 990-7757. Notification 48 hours prior to the meeting will enable City staff to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

City of Brea

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**FINANCE COMMITTEE COMMUNICATION**

**FROM:** Bill Gallardo

**DATE:** 04/10/2018

**SUBJECT:** Approval of Minutes of March 27, 2018 Meeting

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**Attachments**

03-27-18 Minutes

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# FINANCE COMMITTEE MINUTES

**Tuesday, March 27, 2018  
8:30 AM**

Executive Conference Room, Level Three  
Brea Civic & Cultural Center, 1 Civic Center Circle, Brea, California

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## CALL TO ORDER / ROLL CALL

*Recessed until 9:00 AM, due to lack of quorum.*

ATTENDEES: Council Member Cecilia Hupp, Council Member Marty Simonoff, Tony Olmos, Steve Kooyman, Cindy Russell, Faith Madrazo, Ana Conrique, Cliff Flaughter, Anthony Godoy and Neil Groom.

1. Matters from the Audience - *None*

## CONSENT

2. Approval of Minutes of March 8, 2018 Special Meeting – *Approved.*
3. Amendment to Professional Services Agreement with MTGL, Inc. for Additional Construction Materials and Soils Testing Services on Capital Improvement Projects and Resolution Appropriating Additional Funds for the Laurel Elementary Magnet School/Lagos de Moreno Park Upgrades Project (CIP7929) - *The Finance Committee directed staff to reduce the MTGL PSA Amendment amount by the cost associated with the Sewer Line work that will be reimbursed by the School District. Staff will pursue the School District commitment for the reimbursement of this MTGL cost as well as the Contractor (LBI) and Construction and Management costs (Onward) associated with Sewer Line Change Order work and return to the Finance Committee with a second Amendment to the MTGL PSA upon reimbursement approval from the School District. The extension change will be reduced by approximately \$20,000 which brings the not-to-exceed amount for the PSA with MTGL to \$140,000.*
4. Purchase of Ammunition – *Recommended for City Council approval.*
5. Purchase of Microsoft Exchange Licenses – *Recommended for City Council approval.*

## DISCUSSION

6. Schedule Next Meeting: April 10, 2018  
Meeting adjourned: 9:08 AM

CC: Mayor Glenn Parker  
Mayor Pro Tem Christine Marick  
Council Member Steven Vargas



## City of Brea

### FINANCE COMMITTEE COMMUNICATION

**TO:** Finance Committee Members

**FROM:** Bill Gallardo

**DATE:** 04/10/2018

**SUBJECT:** Annual Engineer's Report for Maintenance Districts Nos. 1, 2, 3, 4, 5, 6 and 7

### **RECOMMENDATION**

Approval and Receipt of the Annual Engineer's Report for Landscape and Lighting Maintenance Districts #1, 2, 3, 4, 5, 6, and 7 and adopt the Resolutions of Intent to set a Public Hearing for each District on June 5, 2018, at 7:00 p.m.

### **BACKGROUND/DISCUSSION**

As called for in the Landscape and Lighting Act of 1972, a yearly assessment is to be made for each Maintenance District. For Council reference, the Districts are located on the attached map (Exhibit A). The estimated assessments for the 2018-19 fiscal year as detailed in the Engineer's Report are as follows:

Maintenance District	2017-2018 Assessment per lot per year	2018-2019 Assessment per lot per year	Change in Assessment per lot per year	% Change
M.D. #1	\$543.00	\$543.00	0	0% Change
M.D. #2	\$18.50	\$18.50	0	0% Change
M.D. #3	\$459.83	\$472.71	\$12.88	2.8% Change
M.D. #4	\$12.00	\$12.00	0	0% Change
M.D. #5	\$836.09	\$886.26	\$50.17	6% Change
M.D. #6	\$1,350.00	\$1,399.95	\$49.95	3.7% Change
M.D. #7	\$288.03	\$296.09	\$8.06	2.8% Change

**Maintenance District #1 (American National - 103 Parcels)** - On March 1, 2018 staff held a general meeting with the homeowners of this District. Residents representing six parcels chose to attend. The total estimated costs for FY 2018-19 are \$59,160. The total annual assessment amount for this District is currently \$55,929. No change is recommended for FY 2018-19. This will require the expenditure of \$3,231 from the District's reserve fund. The annual assessment will remain at \$543 per parcel per year. Current fund reserves are \$4,782 which are 8% of the operational budget.

**Maintenance District #2 (Baldwin - 297 Parcels)** - The assessment for this District is for theme street lighting maintenance only. The Homeowners' Association maintains the

common landscaped areas. Staff held a general meeting on February 24, 2018, to discuss the coming year's budget. No homeowners attended. The total estimated costs for FY 2018-19 will be \$5,744. The total annual assessment for this District is currently \$5,495. No change is recommended in the annual assessment for this District during FY 2018-19. This will require the expenditure of \$249.00 from the District's reserve fund. The annual assessment will remain at \$18.50 per parcel per year. Current fund reserves are \$38,268, which are 665% of the operational budget.

**Maintenance District #3 (Eagle Development - 188 Parcels)** - Staff held a general meeting for the homeowners on February 24, 2018. Residents representing six parcels chose to attend. Staff updated residents on repairs to the eagle statue and the new landscaping that had been installed. The total estimated costs for FY 18-19 are \$109,787. The total annual assessment for this District is \$86,448, or \$459.83 per parcel per year, the maximum allowable assessment for FY 2016-2017. Residents in attendance directed staff to increase the assessment by the CPI for the prior 12 month calendar year, per parcel per year increase to help build reserves to pay for needed improvements. The recommended assessment would increase by 2.8% to \$88,869 or \$472.71 per parcel per year, an increase of \$12.88 per parcel per year. Current fund reserves are \$49,282, which are 45% of the operational budget.

**Maintenance District #4 (Ponderosa - 230 parcels)** - The assessment for this District is for theme street lighting maintenance only. The Homeowners' Association maintains the common landscaped areas. Staff held a general meeting on February 24, 2018, to discuss the coming year's budget. No homeowners attended. The total estimated costs for FY 2018-19 are \$2,399. No change is recommended in the annual assessment for this District during FY 2018-19. The annual assessment will remain at \$12 per parcel per year. Current fund reserves are \$17,986, which is over 900% of the operational budget.

**Maintenance District #5 (Konweiser - 113 Parcels)** - On February 28, 2018, staff held a general meeting for the homeowners to discuss the coming year's budget and any concerns regarding maintenance of the common areas. Residents representing four parcels chose to attend. The residents in attendance were interested in building reserves for future capital improvement needs, including landscape improvements in the District. The total estimated costs for FY 2018-19 are \$129,552. The total annual assessment for this District is \$94,478 or \$836.09 per parcel per year, the maximum allowable assessment for FY 2009-2010. Residents in attendance directed staff to increase the assessment by a percentage that reflects an approximate \$50 per parcel per year increase to help build reserves to pay for improvements. The recommended assessment would increase by 6% to \$100,147 or \$886.26 per parcel per year, an increase of \$50.17 per parcel per year. Current fund reserves are \$61,723, which are 48% of the operational budget.

**Maintenance District #6 (Schmid Development - 135 Parcels)** - This District is the largest of the seven Districts. It consists of 16 acres of common landscaped areas. Staff held a general meeting on February 28, 2018 to discuss the coming year's budget and assessment. Homeowners representing six parcels chose to attend. Residents and staff discussed an assessment increase to keep pace with increasing maintenance costs which had been shared with all residents in their annual meeting notification this year. The total estimated costs for FY 2018-19 are \$197,595. The total annual assessment for this District is \$182,250 or \$1,350 per parcel per year established in FY 2005-2006. Residents were in agreement an assessment increase was needed to keep pace with increased costs and directed staff to increase the assessment by a percentage in the \$50 per parcel per year range. The

recommended assessment would increase by 6% to \$188,993 or \$1,399.95 per parcel per year, an increase of \$49.95 per parcel per year. Current fund reserves are \$66,257, which are 34% of the operational budget.

**Maintenance District #7 (Baywood Development - 96 Parcels)** - Staff held a general meeting on February 27, 2018, to discuss the coming year's budget and assessment. No homeowners attended. The meeting was held to solicit input into the assessment process. The total estimated costs for FY 2018-19 are \$30,042. The current annual assessment for this District is \$27,651 or \$288.03 per parcel per year, which was the maximum allowable assessment for FY 2016-2017. Due to declining reserves, an increase is recommended for the FY 2018-19 equal to the CPI increase for the previous calendar year period of 2.8%. The recommended annual assessment would be \$28,425, or \$296.09 per parcel per year, an increase of \$8.06 per parcel per year. Current fund reserves are \$6,309, which is 21% of the operational budget.

### **SUMMARY/FISCAL IMPACT**

There will be no impact to the General Fund by this action. All funding for the maintenance of the Districts is provided for by separate assessments. In addition, the Districts' reimburse the General Fund for staff time.

As called for in the Landscape and Lighting Act of 1972, a yearly assessment is to be made for each Maintenance District. Staff held general meetings with the homeowners during the week and on a Saturday this year to discuss the coming year's budget and improvement projects. It is recommended that the Engineer's Report be accepted for the Landscape and Lighting Districts Nos. 1, 2, 3, 4, 5, 6 and 7 and that a Resolution of Intent be adopted setting a Public Hearing for each District on June 5, 2018, at 7:00 p.m.

### **RESPECTFULLY SUBMITTED**

William Gallardo, City Manager

Prepared by: Bill Bowlus, Public Works Superintendent

Concurrence: Tony Olmos, P.E., Director of Public Works

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### **Attachments**

Exhibit A

Engineer's Reports LLMD 1-7

LLMD1 Reso

LLMD2 Reso

LLMD3 Reso

LLMD4 Reso

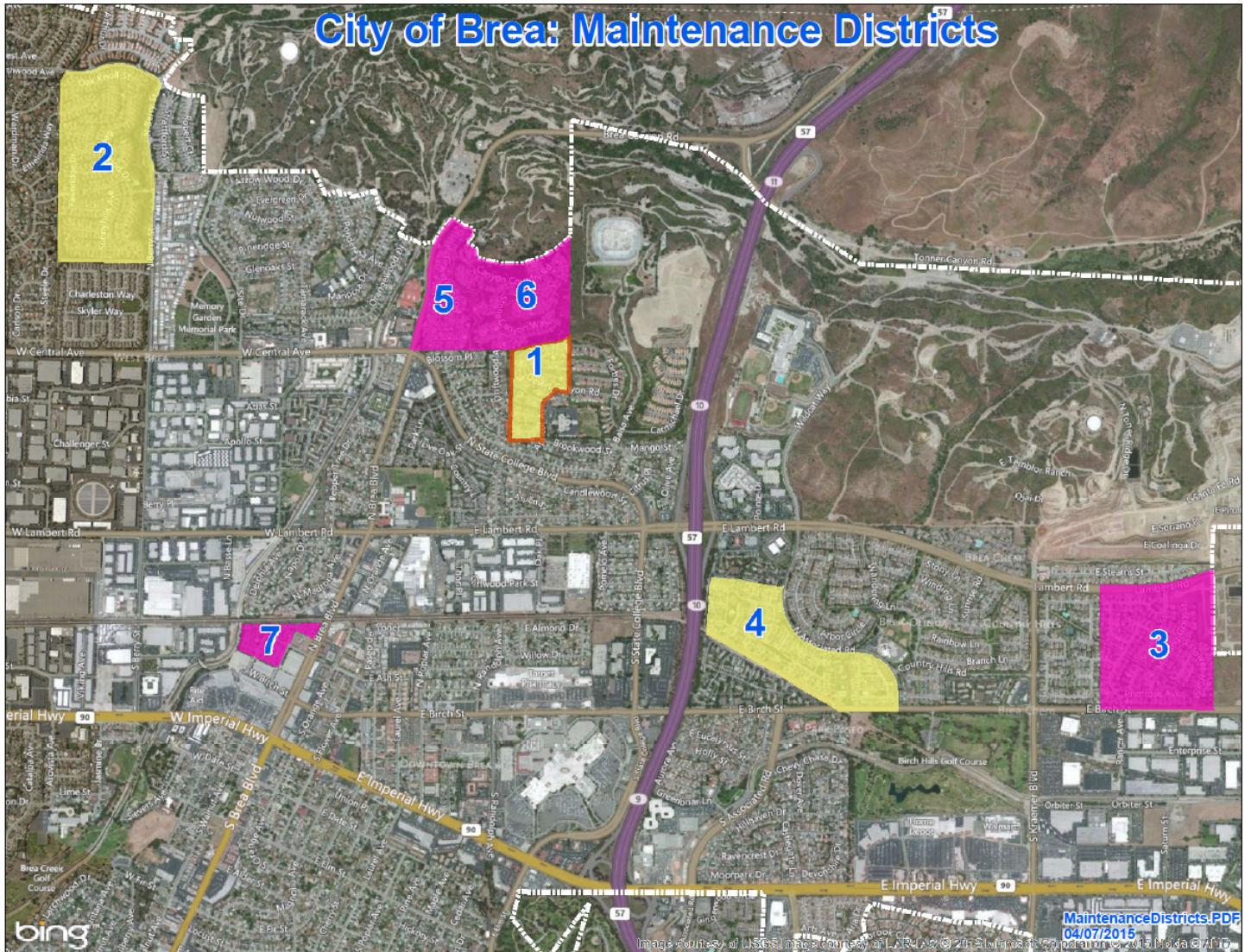
LLMD5 Reso

LLMD6 Reso

LLMD7 Reso

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## Exhibit A



**Landscape and Lighting  
Maintenance District  
No. 1  
City of Brea**

**Prepared under the authority of the  
Landscape and Lighting Act of 1972  
Streets and Highways Code  
State of California**

**Fiscal Year 2018-19**

**Submitted by:**

**Tony Olmos  
Director of Public Works**

**April 17, 2018**

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## City of Brea

May 1, 2018

Honorable Mayor and City Council  
City of Brea  
1 Civic Center Circle  
Brea, CA 92821-5732

**Re: Engineer's Report, Landscape & Lighting Maintenance District No. 1**

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 1, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Tony Olmos, P.E., Director  
Public Works Department

**City Council**

**Glenn Parker**  
*Mayor*

**Christine Marick**  
*Mayor Pro Tem*

**Cecilia Hupp**  
*Council Member*

**Marty Simonoff**  
*Council Member*

**Steven Vargas**  
*Council Member*

## Introduction and Background

### **Introduction:**

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

### **Background:**

The City Council of the City of Brea adopted and approved Resolution Nos. 82-57 and 82-58 detaching certain territory from Landscape and Lighting Maintenance District No. 1 adopted by Resolution No. 76-74 and adopted Resolution No. 82-59 creating amended Maintenance District No. 1 in the City of Brea.

The creating of Lighting and Maintenance District No. 1 in the City of Brea was a requirement of the City of Brea for the development of Tentative Tract No. 8820, known as the "Canyon Country" development project. The amended Landscape and Lighting Maintenance District No. 1 was subsequently formed June 1, 1982 by Resolution No. 82-59.

The formation of the amended district and the levy of the first annual assessment was completed in accordance with the requirements of the Landscaping and Lighting Act of 1972 on June 1, 1982.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).



## **PART A PLANS AND SPECIFICATIONS**

The facilities, which consist of greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

### Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in Public Street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

### Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

## PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2018-19, as described in Part A, are summarized herein and described below.

### MAINTENANCE DISTRICT # 1 - ANNUAL COST FACTORS

Acct #	Description	FY 18-19 Est.
<b>1. Fixed Costs</b>		<b>Expenses</b>
4111	Salaries & Benefits	\$14,701
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$180
	<b>Fixed Costs Totals</b>	<b>\$14,981</b>
<b>2. ROUTINE COSTS</b>		
4211	Postage	\$100
4249	Professional Svs/Other	\$3,500
4261	Svc & Repair Equipment	\$300
4266	Contract Services/Grounds Maintenance	\$16,500
4282	Electric	\$1,800
4285	Water	\$20,240
4337	Electrical Supplies & Parts	250
4441	Miscellaneous Expense	\$0
5800	Insurance and Other Expenses	\$1,489
	<b>Routine Costs Totals</b>	<b>\$44,179</b>
	<b>Total Costs (Fixed &amp; Routine)</b>	<b>\$59,160</b>
	<b>Contribution to Capital Replacement Reserve</b>	<b>\$0</b>
	<b>FY 2018-19 Annual Assessments</b>	<b>\$55,929</b>
	<b>Reserve Fund Requirement:</b>	
	Operating Reserve – 50% (6 months)*	\$0
	<b>Capital Replacement Reserve**</b>	
	Estimated Balance 1-July-2018	\$4,782
	Contribution to Capital Replacement Reserve	\$0
	Less planned capital expenditures	\$0
	Estimated Fund Balance 30-Jun-2019	\$1,551

\*The Operating Reserve fund is being established for the District to cover the first six months of expenses annually before collection from the County has been received, as well as unexpected expenses. The funds will not exceed 50% of the anticipated annual expenditures, in anticipation of any maintenance costs that can and do occur during the year.

\*\*The Capital Replacement Reserve fund is established to fund the replacement or refurbishment of components based on life expectancy and value of the improvements within the district. Based on the current fund balance, there are insufficient funds to cover the replacement expenses of the existing improvements.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

## **PART C**

### **METHOD OF APPORTIONMENT OF ASSESSMENT**

#### **GENERAL**

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

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"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 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

#### **ASSESSMENT METHODOLOGY**

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$55,929 / 103 \text{ SFR's} = \$543.00 / \text{SFR}$$

## PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2018-19 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot Tract	Asmt	AD #	APN	Lot Tract	Asmt	AD #	APN	Lot Tract	Asmt
1	31920129	1 9121	\$543.00	36	31921217	8 9342	\$543.00	71	31921328	39 9341	\$543.00
2	31920128	2 9121	\$543.00	37	31921216	9 9342	\$543.00	72	31921329	40 9341	\$543.00
3	31920127	3 9121	\$543.00	38	31921201	10 9342	\$543.00	73	31921330	41 9341	\$543.00
4	31920126	4 9121	\$543.00	39	31921202	11 9342	\$543.00	74	31921331	42 9341	\$543.00
5	31920125	5 9121	\$543.00	40	31921203	12 9342	\$543.00	75	31921327	1 9341	\$543.00
6	31920124	6 9121	\$543.00	41	31921204	13 9342	\$543.00	76	31921328	2 9341	\$543.00
7	31920123	7 9121	\$543.00	42	31921205	14 9342	\$543.00	77	31921329	3 9341	\$543.00
8	31920122	8 9121	\$543.00	43	31921206	15 9342	\$543.00	78	31921330	4 9341	\$543.00
9	31920121	9 9121	\$543.00	44	31921207	16 9342	\$543.00	79	31921331	5 9341	\$543.00
10	31920120	10 9121	\$543.00	45	31921208	17 9342	\$543.00	80	31921332	6 9341	\$543.00
11	31920119	11 9121	\$543.00	46	31921209	18 9342	\$543.00	81	31921333	7 9341	\$543.00
12	31920118	12 9121	\$543.00	47	31921210	19 9342	\$543.00	82	31921334	8 9341	\$543.00
13	31920117	13 9121	\$543.00	48	31921212	20 9342	\$543.00	83	31921335	9 9341	\$543.00
14	31920116	14 9121	\$543.00	49	31921211	21 9342	\$543.00	84	31921336	10 9341	\$543.00
15	31920115	15 9121	\$543.00	50	31921213	22 9342	\$543.00	85	31921337	11 9341	\$543.00
16	31920114	16 9121	\$543.00	51	31921214	23 9342	\$543.00	86	31921338	12 9341	\$543.00
17	31920113	17 9121	\$543.00	52	31921215	24 9342	\$543.00	87	31921339	13 9341	\$543.00
18	31920112	18 9121	\$543.00	53	31921101	25 9342	\$543.00	88	31921306	14 9341	\$543.00
19	31920111	19 9121	\$543.00	54	31921102	26 9342	\$543.00	89	31921305	15 9341	\$543.00
20	31920110	20 9121	\$543.00	55	31921103	27 9342	\$543.00	90	31921304	16 9341	\$543.00
21	31920109	21 9121	\$543.00	56	31921104	28 9342	\$543.00	91	31921303	17 9341	\$543.00
22	31920108	22 9121	\$543.00	57	31921105	29 9342	\$543.00	92	31921302	18 9341	\$543.00
23	31920107	23 9121	\$543.00	58	31921106	30 9342	\$543.00	93	31921301	19 9341	\$543.00
24	31920106	24 9121	\$543.00	59	31921107	31 9342	\$543.00	94	31921317	20 9341	\$543.00
25	31920105	25 9121	\$543.00	60	31921108	32 9342	\$543.00	95	31921316	21 9341	\$543.00
26	31920104	26 9121	\$543.00	61	31921109	33 9342	\$543.00	96	31921315	22 9341	\$543.00
27	31920103	27 9121	\$543.00	62	31921319	30 9341	\$543.00	97	31921314	23 9341	\$543.00
28	31920102	28 9121	\$543.00	63	31921320	31 9341	\$543.00	98	31921313	24 9341	\$543.00
29	31921224	1 9342	\$543.00	64	31921321	32 9341	\$543.00	99	31921312	25 9341	\$543.00
30	31921223	2 9342	\$543.00	65	31921322	33 9341	\$543.00	100	31921311	26 9341	\$543.00
31	31921222	3 9342	\$543.00	66	31921323	34 9341	\$543.00	101	31921310	27 9341	\$543.00
32	31921221	4 9342	\$543.00	67	31921324	35 9341	\$543.00	102	31921308	28 9341	\$543.00
33	31921220	5 9342	\$543.00	68	31921325	36 9341	\$543.00	103	31921309	29 9341	\$543.00
34	31921219	6 9342	\$543.00	69	31921326	37 9341	\$543.00				
35	31921218	7 9342	\$543.00	70	31921327	38 9341	\$543.00				

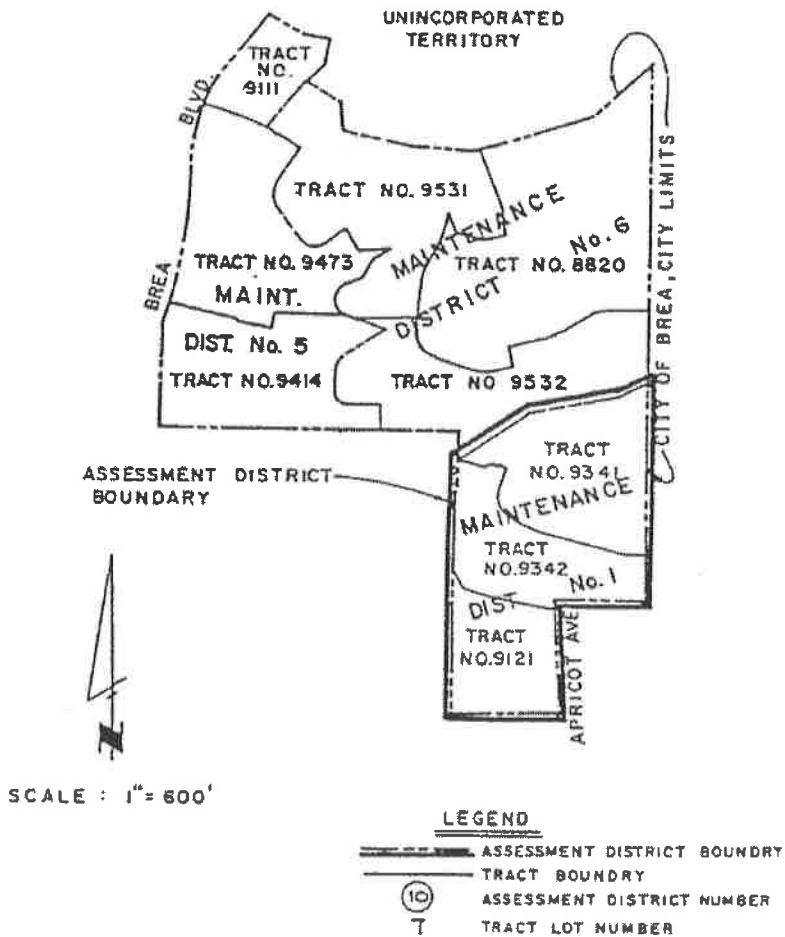
## **PART E ASSESSMENT DISTRICTS' BOUNDARIES**

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 1 is included herein.

District No. 1 is generally located east, north of State College Boulevard, adjacent to Fanning School, and includes Tract Nos. 9121, 9341 and 9342.

District No. 1 includes all of the properties in the City of Brea located within the tract boundary of Tract No. 9121 recorded in Book 378, Pages 49 and 50; Tract No. 9341 recorded in Book 395, Pages 28, 29 and 30; and of Tract No. 9342 recorded in Book 386, Pages 41, 42 and 43, all of Miscellaneous Maps, records of Orange County, California.

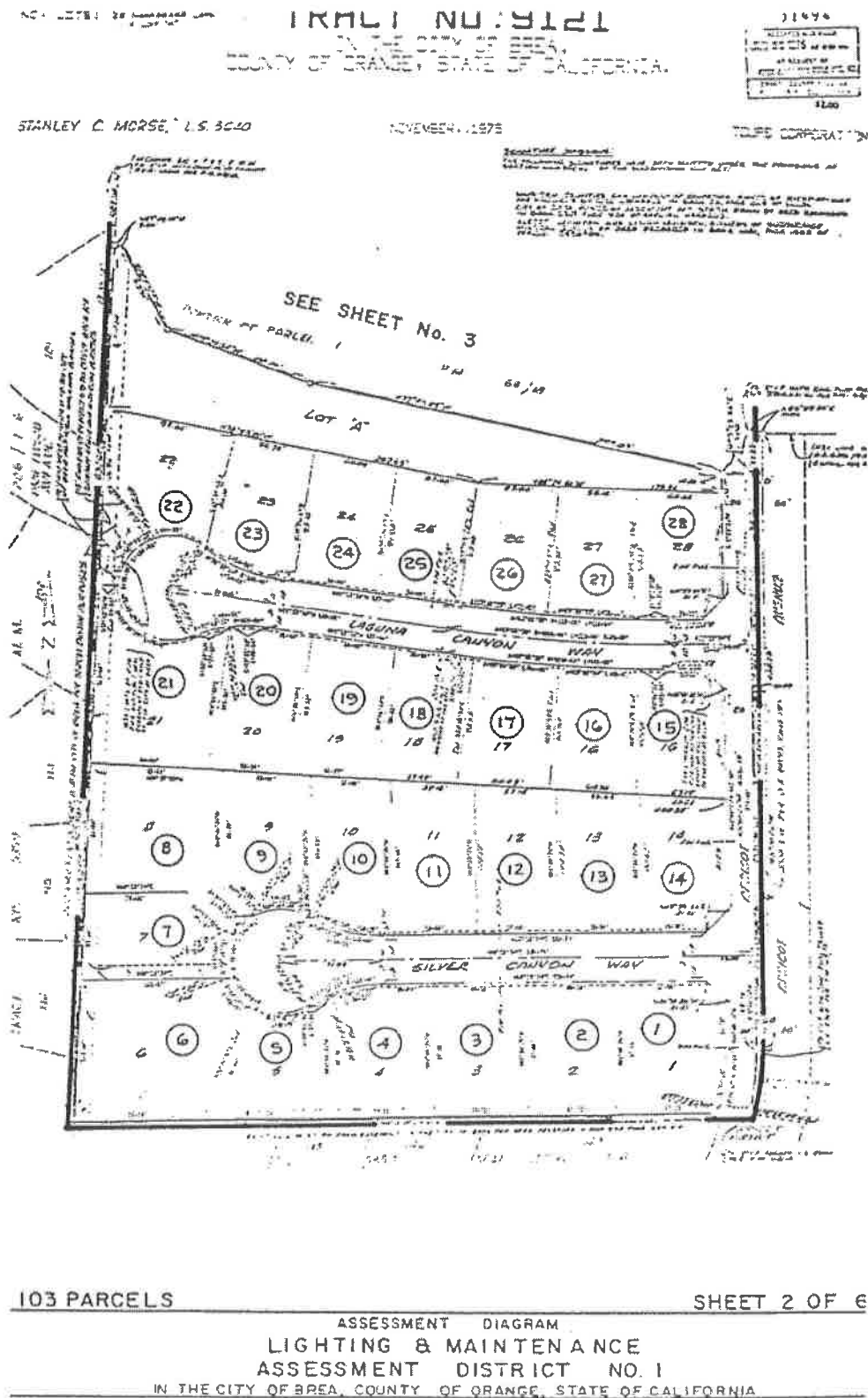
Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2018-19. The Assessor's maps and records are incorporated by reference herein and made part of this report.



103 PARCELS

SHEET 1 OF

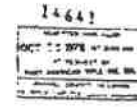
ASSESSMENT DIAGRAM  
LIGHTING & MAINTENANCE  
ASSESSMENT DISTRICT NO. 1  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA



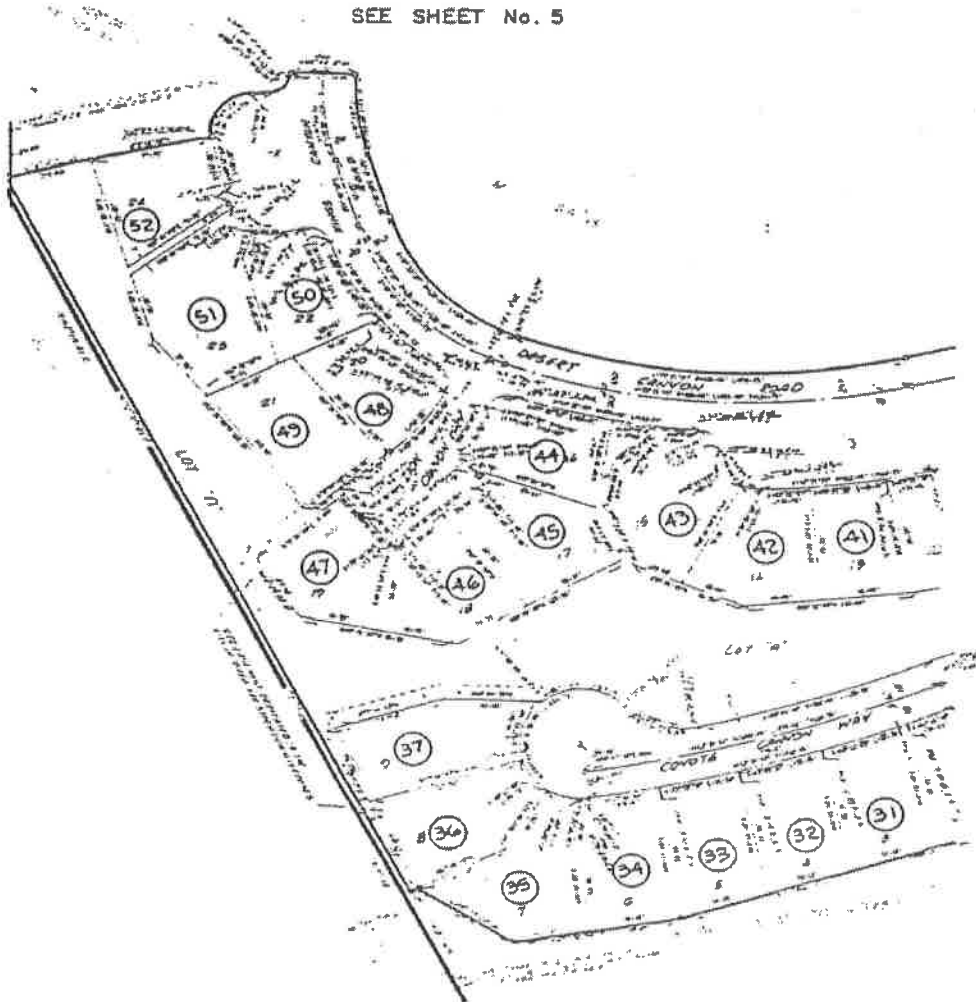


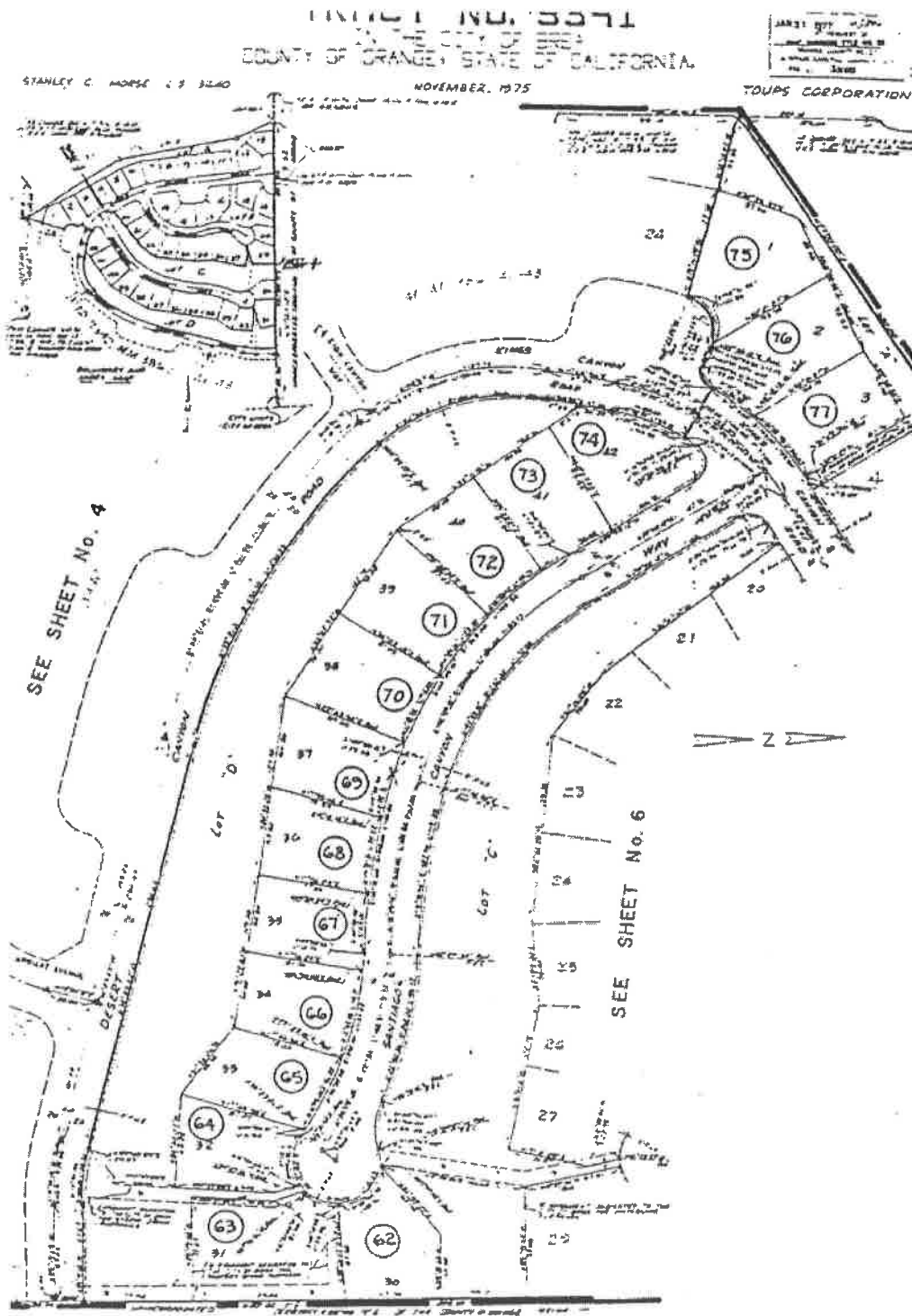


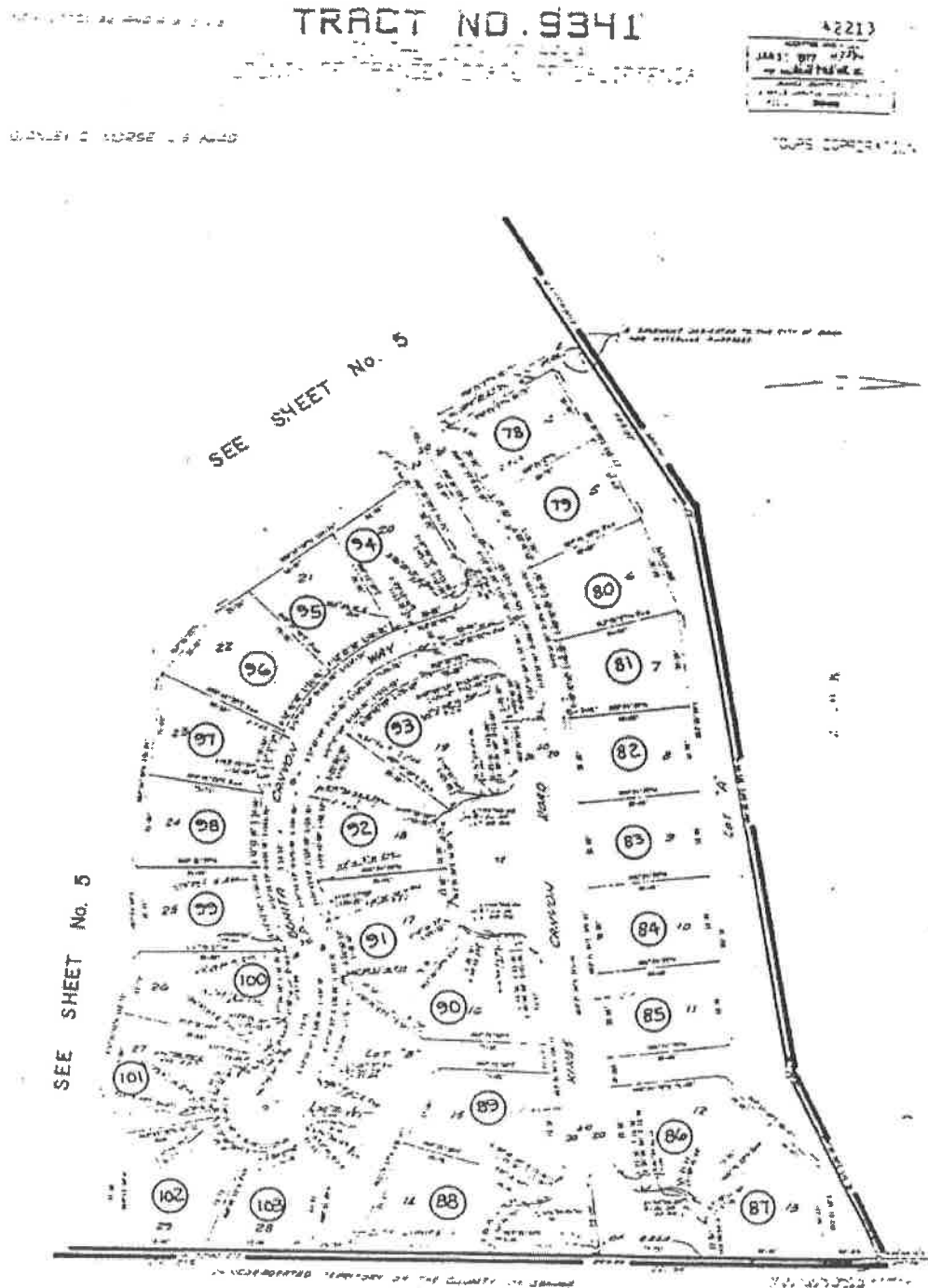
TRACT NO. 9342



SEE SHEET No. 5







**Lighting  
Maintenance District  
No. 2  
City of Brea**

**Prepared under the authority of the  
Landscaping and Lighting Act of 1972  
Streets and Highways Code  
State of California**

**Fiscal Year 2018-19**

**Submitted by:**

**Tony Olmos  
Director of Public Works**

**April 17, 2018**

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## City of Brea

May 1, 2018

Honorable Mayor and City Council  
City of Brea  
1 Civic Center Circle  
Brea, CA 92821-5732

**Re: Engineer's Report, Lighting Maintenance District No. 2**

Transmitted herewith for your review and consideration is a report entitled, "Lighting Maintenance District No. 2, City of Brea."

This report has been prepared in accordance with the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscaping and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Tony Olmos, P.E., Director  
Public Works Department

**City Council**

**Glenn Parker**  
*Mayor*

**Christine Marick**  
*Mayor Pro Tem*

**Cecilia Hupp**  
*Council Member*

**Marty Simonoff**  
*Council Member*

**Steven Vargas**  
*Council Member*

## Introduction and Background

### **Introduction:**

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

### **Background:**

The City Council of the City of Brea adopted and approved Resolution No. 78-76, creating Lighting and Maintenance District No. 2 in the City of Brea.

The creation of Lighting and Maintenance District No. 2 in the City of Brea was a requirement of the City of Brea for the development of Tentative Tract No. 8857, known as "North Hills" development project.

No landscape maintenance is included in this district as the slopes are to be maintained by the homeowner or the homeowners' association, as required by the Conditions of Approval for Tentative Tract No. 8857.

The formation of the district and the levy of the first annual assessment was completed in accordance with the requirements of the Landscaping and Lighting Act of 1972 on July 5, 1978, by City Council Resolution No. 78-76.

The purpose of this report is to be utilized by the staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California Streets and Highways Code, Section 22620 to 22631).

## **PART A PLANS AND SPECIFICATIONS**

The facilities, which consist of street lighting, will be operated, serviced and maintained as generally described as follows:

### Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the public lighting facilities or appurtenant facilities; providing for the cleaning, sandblasting, and painting of poles and other improvements for general upkeep and to remove or cover graffiti.

Servicing means the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.



## PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2018-19, as described in Part A, are summarized herein and described below.

### MAINTENANCE DISTRICT # 2 - ANNUAL COST FACTORS

Acct #	Description	FY 18-19 Est.
<b>1. Fixed Costs</b>		<b>Expenses</b>
4111	Salaries & Benefits	\$4,335
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$20
	<b>Fixed Costs Totals</b>	<b>\$4,455</b>
<b>2. ROUTINE COSTS</b>		
4211	Postage	\$135
4261	Svc & Repair Equipment	\$775
4337	Electrical Supplies & Parts	\$0
4441	Miscellaneous Expense	\$0
5800	Insurance and Other Expenses	\$379
	<b>Routine Costs Totals</b>	<b>\$1,289</b>
	<b>Total Costs (Fixed &amp; Routine)</b>	<b>\$5,744</b>
	<b>Contribution to Capital Replacement Reserve</b>	<b>\$0</b>
	<b>FY 2018-19 Annual Assessments</b>	<b>\$5,495</b>
	<b>Reserve Fund Requirement:</b>	
	Operating Reserve – 50% (6 months)*	\$2,872
	<b>Capital Replacement Reserve**</b>	
	Estimated Balance 1-July-2018	\$35,396
	Contribution to Capital Replacement Reserve	\$0
	Less planned capital expenditures	\$0
	Estimated Fund Balance 30-Jun-2019	\$38,019

\*The Operating Reserve fund is being established for the District to cover the first six months of expenses annually before collection from the County has been received, as well as unexpected expenses. The funds will not exceed 50% of the anticipated annual expenditures, in anticipation of any maintenance costs that can and do occur during the year.

\*\*The Capital Replacement Reserve fund is established to fund the replacement or refurbishment of components based on life expectancy and value of the improvements within the district. Based on the

current fund balance, there are insufficient funds to cover the replacement expenses of the existing improvements.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

## PART C METHOD OF APPORTIONMENT OF ASSESSMENT

### GENERAL

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

Section 22573 of the Landscaping and Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"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 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

### ASSESSMENT METHODOLOGY

The North Hills Development project (Tract Nos. 9227, 9228 and 8857 in the City of Brea) was developed under conditions of development required by the City Council of the City of Brea.

The parcels of land in the District are single-family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$5,495 / 297 \text{ SFR's} = \$18.50 / \text{SFR}$$

## PART D ASSESSMENT ROLL

The amount of the total proposed assessment for fiscal year 2018-19 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	30424201	13	9227	\$18.50	41	30425224	53	9227	\$18.50	81	30424108	93	9227	\$18.50
2	30424202	14	9227	\$18.50	42	30425225	54	9227	\$18.50	82	30424107	94	9227	\$18.50
3	30424203	15	9227	\$18.50	43	30425226	55	9227	\$18.50	83	30424106	95	9227	\$18.50
4	30424204	16	9227	\$18.50	44	30425227	56	9227	\$18.50	84	30424105	96	9227	\$18.50
5	30424205	17	9227	\$18.50	45	30425228	57	9227	\$18.50	85	30424104	97	9227	\$18.50
6	30424206	18	9227	\$18.50	46	30425229	58	9227	\$18.50	86	30424103	98	9227	\$18.50
7	30424207	19	9227	\$18.50	47	30425230	59	9227	\$18.50	87	30424102	99	9227	\$18.50
8	30424208	21	9227	\$18.50	48	30425231	60	9227	\$18.50	88	30424101	100	9227	\$18.50
9	30424209	21	9227	\$18.50	49	30425232	61	9227	\$18.50	89	30425112	101	9227	\$18.50
10	30424210	22	9227	\$18.50	50	30425233	62	9227	\$18.50	90	30425111	102	9227	\$18.50
11	30424211	23	9227	\$18.50	51	30425234	63	9227	\$18.50	91	30425110	103	9227	\$18.50
12	30424212	24	9227	\$18.50	52	30425235	64	9227	\$18.50	92	30425109	104	9227	\$18.50
13	30424213	25	9227	\$18.50	53	30425236	65	9227	\$18.50	93	30425108	105	9227	\$18.50
14	30424214	26	9227	\$18.50	54	30425237	66	9227	\$18.50	94	30425107	106	9227	\$18.50
15	30424215	27	9227	\$18.50	55	30425238	67	9227	\$18.50	95	30425106	107	9227	\$18.50
16	30424216	28	9227	\$18.50	56	30425239	68	9227	\$18.50	96	30425105	108	9227	\$18.50
17	30424217	29	9227	\$18.50	57	30425240	69	9227	\$18.50	97	30425104	109	9227	\$18.50
18	30424218	30	9227	\$18.50	58	30425241	70	9227	\$18.50	98	30425103	110	9227	\$18.50
19	30424219	31	9227	\$18.50	59	30425242	71	9227	\$18.50	99	30425102	111	9227	\$18.50
20	30424220	32	9227	\$18.50	60	30425243	72	9227	\$18.50	100	30425101	112	9227	\$18.50
21	30424221	33	9227	\$18.50	61	30425244	73	9227	\$18.50	101	30425111	113	9227	\$18.50
22	30424222	34	9227	\$18.50	62	30425245	74	9227	\$18.50	102	30425110	114	9227	\$18.50
23	30424223	35	9227	\$18.50	63	30425246	75	9227	\$18.50	103	30425109	115	9227	\$18.50
24	30424224	36	9227	\$18.50	64	30425247	76	9227	\$18.50	104	30425108	116	9227	\$18.50
25	30424225	37	9227	\$18.50	65	30425248	77	9227	\$18.50	105	30425107	117	9227	\$18.50
26	30424226	38	9227	\$18.50	66	30425249	78	9227	\$18.50	106	30425106	118	9227	\$18.50
27	30424227	39	9227	\$18.50	67	30424122	79	9227	\$18.50	107	30425105	119	9227	\$18.50
28	30424228	40	9227	\$18.50	68	30424121	80	9227	\$18.50	108	30425104	120	9227	\$18.50
29	30424229	41	9227	\$18.50	69	30424120	81	9227	\$18.50	109	30425103	121	9227	\$18.50
30	30425213	42	9227	\$18.50	70	30424119	82	9227	\$18.50	110	30425102	122	9227	\$18.50
31	30425214	43	9227	\$18.50	71	30424118	83	9227	\$18.50	111	30425101	123	9227	\$18.50
32	30425215	44	9227	\$18.50	72	30424117	84	9227	\$18.50	112	30423501	1	9228	\$18.50
33	30425216	45	9227	\$18.50	73	30424116	85	9227	\$18.50	113	30423502	2	9228	\$18.50
34	30425217	46	9227	\$18.50	74	30424115	86	9221	\$18.50	114	30423503	3	9228	\$18.50
35	30425218	47	9227	\$18.50	75	30424114	87	9227	\$18.50	115	30426221	4	9228	\$18.50
36	30425219	48	9227	\$18.50	76	30424113	88	9227	\$18.50	116	30426222	5	9228	\$18.50
37	30425220	49	9227	\$18.50	77	30424112	89	9227	\$18.50	117	30426223	6	9228	\$18.50
38	30425221	50	9227	\$18.50	78	30424111	90	9227	\$18.50	118	30426224	7	9228	\$18.50
39	30425222	51	9227	\$18.50	79	30424110	91	9227	\$18.50	119	30426225	8	9228	\$18.50
40	30425223	52	9227	\$18.50	80	30424109	92	9227	\$18.50	120	30426226	9	9228	\$18.50

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
121	30423411	10	9228	\$18.50	180	30426105	69	9228	\$18.50	239	30427210	80	8857	\$18.50
122	30423410	11	9228	\$18.50	181	30426104	70	9228	\$18.50	240	30427211	81	8857	\$18.50
123	30423409	12	9228	\$18.50	182	30426103	71	9228	\$18.50	241	30427212	82	8857	\$18.50
124	30423408	13	9228	\$18.50	183	30426102	72	9228	\$18.50	242	30427213	83	8857	\$18.50
125	30423407	14	9228	\$18.50	184	30426101	73	9228	\$18.50	243	30427229	55	8857	\$18.50
126	30423406	15	9228	\$18.50	185	30423307	74	9228	\$18.50	244	30427228	56	8857	\$18.50
127	30423405	16	9228	\$18.50	186	30423308	75	9228	\$18.50	245	30427227	57	8857	\$18.50
128	30423404	17	9228	\$18.50	187	30423309	76	9228	\$18.50	246	30427226	58	8857	\$18.50
129	30423403	18	9228	\$18.50	188	30423301	77	9228	\$18.50	247	30427225	59	8857	\$18.50
130	30423402	19	9228	\$18.50	189	30423302	78	9228	\$18.50	248	30427224	60	8857	\$18.50
131	30423401	20	9228	\$18.50	190	30423303	79	9228	\$18.50	249	30427223	61	8857	\$18.50
132	30426201	21	9228	\$18.50	191	30423304	80	9228	\$18.50	250	30427222	62	8857	\$18.50
133	30426202	22	9228	\$18.50	192	30423301	81	9228	\$18.50	251	30427221	63	8857	\$18.50
134	30426203	23	9228	\$18.50	193	30423202	82	9228	\$18.50	252	30427220	64	8857	\$18.50
135	30426204	24	9228	\$18.50	194	30423115	83	9228	\$18.50	253	30427219	65	8857	\$18.50
136	30426205	25	9228	\$18.50	195	30423116	84	9228	\$18.50	254	30427218	66	8857	\$18.50
137	30426206	26	9228	\$18.50	196	30423117	85	9228	\$18.50	255	30427217	67	8857	\$18.50
138	30426207	27	9228	\$18.50	197	30423118	86	9228	\$18.50	256	30427216	68	8857	\$18.50
139	30426208	28	9228	\$18.50	198	30423119	87	9228	\$18.50	257	30427215	69	8857	\$18.50
140	30426209	29	9228	\$18.50	199	30423120	88	9228	\$18.50	258	30427214	70	8857	\$18.50
141	30426210	30	9228	\$18.50	200	30423121	89	9228	\$18.50	259	30427201	71	8857	\$18.50
142	30426211	31	9228	\$18.50	201	30423122	90	9228	\$18.50	260	30427202	72	8857	\$18.50
143	30426212	32	9228	\$18.50	202	30423123	91	9228	\$18.50	261	30427203	73	8857	\$18.50
144	30426213	33	9228	\$18.50	203	30423101	12	9227	\$18.50	262	30427204	74	8857	\$18.50
145	30426214	34	9228	\$18.50	204	30423102	11	9227	\$18.50	263	30427205	75	8857	\$18.50
146	30426215	35	9228	\$18.50	205	30423103	10	9227	\$18.50	264	30427206	76	8857	\$18.50
147	30426216	36	9228	\$18.50	206	30423104	9	9227	\$18.50	265	30427207	77	8857	\$18.50
148	30426217	37	9228	\$18.50	207	30423105	8	9227	\$18.50	266	30427320	23	8857	\$18.50
149	30426218	38	9228	\$18.50	208	30423106	7	9227	\$18.50	267	30427319	24	8857	\$18.50
150	30426219	39	9228	\$18.50	209	30423107	6	9227	\$18.50	268	30427318	25	8857	\$18.50
151	30426220	40	9228	\$18.50	210	30423108	5	9227	\$18.50	269	30427317	26	8857	\$18.50
152	30426133	41	9228	\$18.50	211	30423109	4	9227	\$18.50	270	30427316	27	8857	\$18.50
153	30426132	42	9228	\$18.50	212	30423110	3	9227	\$18.50	271	30427315	28	8857	\$18.50
154	30426131	43	9228	\$18.50	213	30423111	2	9227	\$18.50	272	30427314	29	8857	\$18.50
155	30426130	44	9228	\$18.50	214	30423112	1	9227	\$18.50	273	30427313	30	8857	\$18.50
156	30426129	45	9228	\$18.50	215	30423124	1	8857	\$18.50	274	30427312	31	8857	\$18.50
157	30426128	46	9228	\$18.50	216	30423125	2	8857	\$18.50	275	30427311	32	8857	\$18.50
158	30426127	47	9228	\$18.50	217	30427339	3	8857	\$18.50	276	30427310	33	8857	\$18.50
159	30426126	48	9228	\$18.50	218	30427338	4	8857	\$18.50	277	30427309	34	8857	\$18.50
160	30426125	49	9228	\$18.50	219	30427337	5	8857	\$18.50	278	30427308	35	8857	\$18.50
161	30426124	50	9228	\$18.50	220	30427336	6	8857	\$18.50	279	30427307	36	8857	\$18.50
162	30426123	51	9228	\$18.50	221	30427335	7	8857	\$18.50	280	30427306	37	8857	\$18.50
163	30426122	52	9228	\$18.50	222	30427334	8	8857	\$18.50	281	30427305	38	8857	\$18.50
164	30426121	53	9228	\$18.50	223	30427333	9	8857	\$18.50	282	30427304	39	8857	\$18.50
165	30426120	54	9228	\$18.50	224	30427332	10	8857	\$18.50	283	30427303	40	8857	\$18.50
166	30426119	55	9228	\$18.50	225	30427331	11	8857	\$18.50	284	30427302	41	8857	\$18.50
167	30426118	56	9228	\$18.50	226	30427330	12	8857	\$18.50	285	30427301	42	8857	\$18.50
168	30426117	57	9228	\$18.50	227	30427329	13	8857	\$18.50	286	30427101	43	8857	\$18.50
169	30426116	58	9228	\$18.50	228	30427328	14	8857	\$18.50	287	30427102	44	8857	\$18.50
170	30426115	59	9228	\$18.50	229	30423203	15	8857	\$18.50	288	30427103	45	8857	\$18.50
171	30426114	60	9228	\$18.50	230	30427327	16	8857	\$18.50	289	30427104	46	8857	\$18.50
172	30426113	61	9228	\$18.50	231	30427326	17	8857	\$18.50	290	30427105	47	8857	\$18.50
173	30426112	62	9228	\$18.50	232	30427325	18	8857	\$18.50	291	30427106	48	8857	\$18.50
174	30426111	63	9228	\$18.50	233	30427324	19	8857	\$18.50	292	30427107	49	8857	\$18.50
175	30426110	64	9228	\$18.50	234	30427323	20	8857	\$18.50	293	30427108	50	8857	\$18.50
176	30426109	65	9228	\$18.50	235	30427322	21	8857	\$18.50	294	30427109	51	8857	\$18.50
177	30426108	66	9228	\$18.50	236	30427321	22	8857	\$18.50	295	30427110	52	8857	\$18.50
178	30426107	67	9228	\$18.50	237	30427208	78	8857	\$18.50	296	30427111	53	8857	\$18.50
179	30426106	68	9228	\$18.50	238	30427209	79	8857	\$18.50	297	30427112	54	8857	\$18.50

## **PART E**

### **ASSESSMENT DISTRICTS' BOUNDARIES**

A diagram of the boundaries of Lighting Maintenance District No. 2 is included herein.

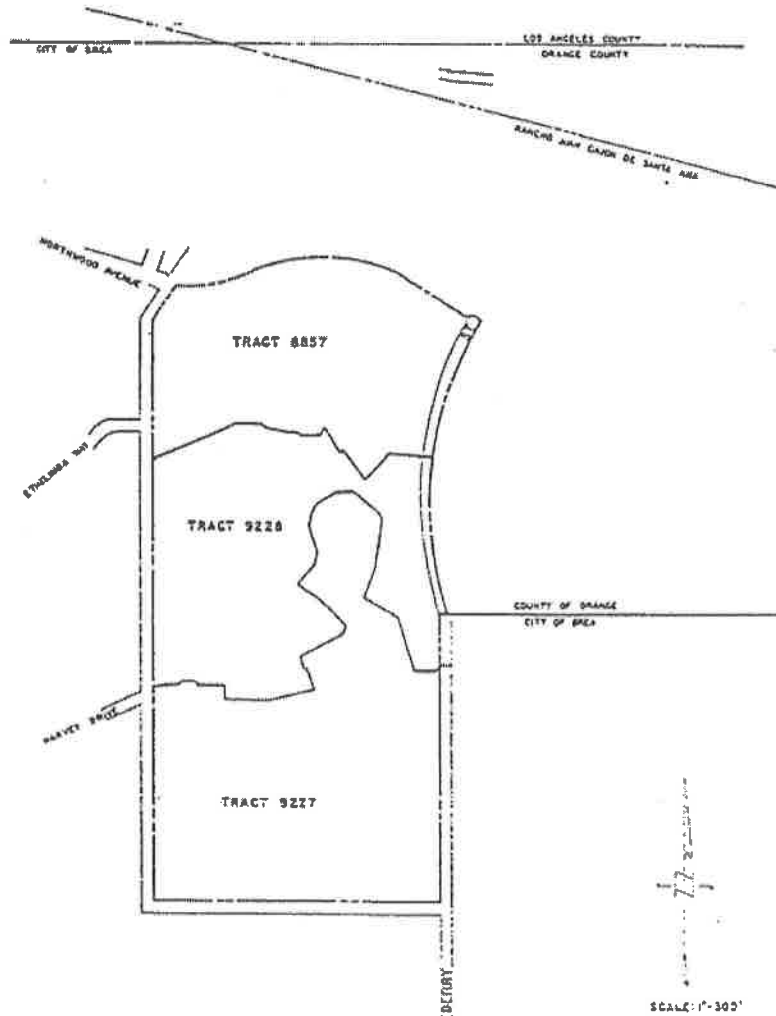
District No. 2 is generally located west of Berry Street, north of Central Avenue, and south of Northwood Avenue.

The boundaries of District No. 2 are described as "being the boundary of Annexation No. 8-74 to the City of Brea, County of Orange, State of California."

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for fiscal year 2018-19. The Assessor's maps and records are incorporated by reference herein and made part of this report.

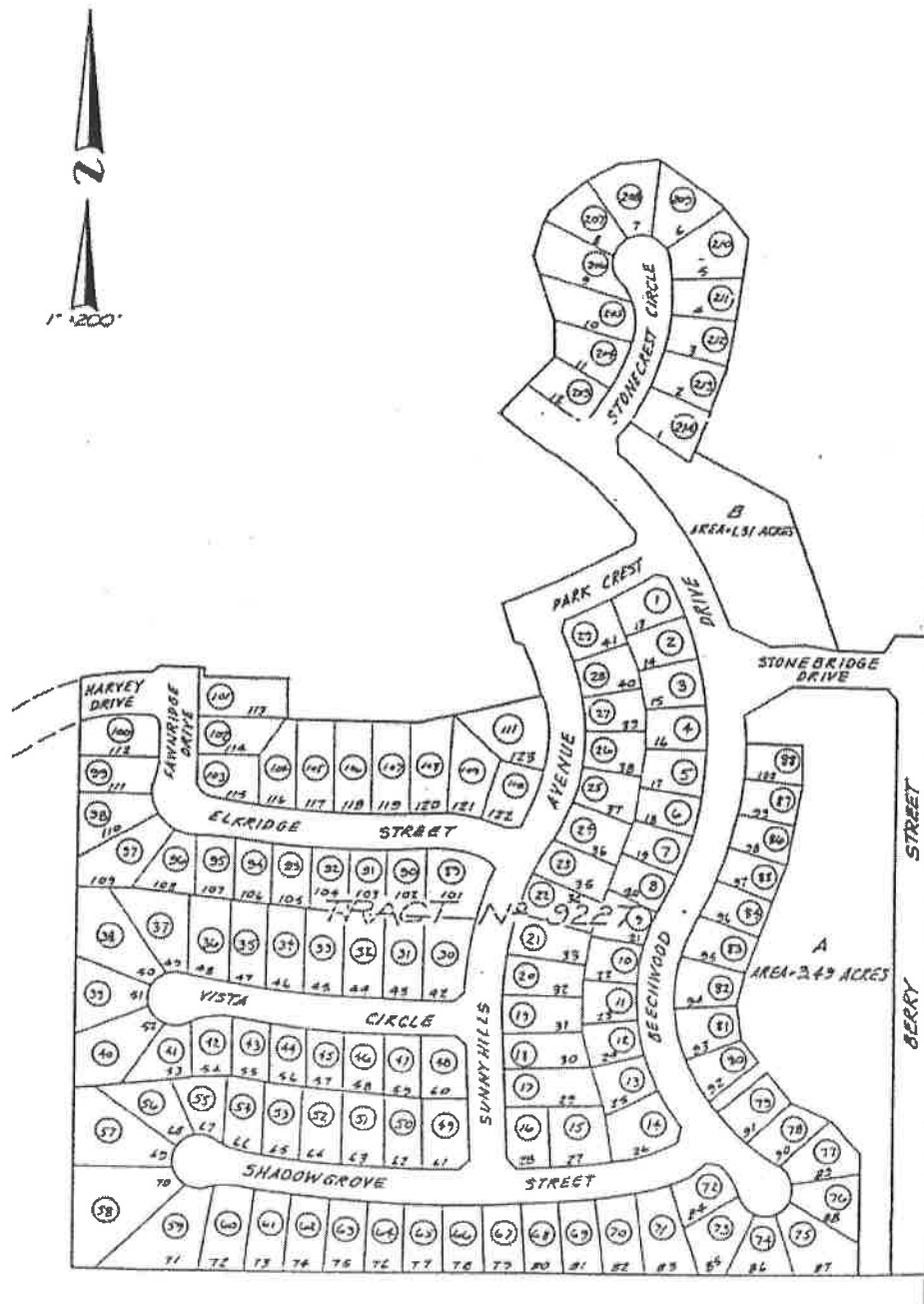
LEGEND

- STREET LIGHTING DISTRICT BOUNDARY
- COUNTY BOUNDARY
- RANCH BOUNDARY



ASSESSMENT DIAGRAM BOUNDRIES  
STREET LIGHTING DISTRICT NO.2  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

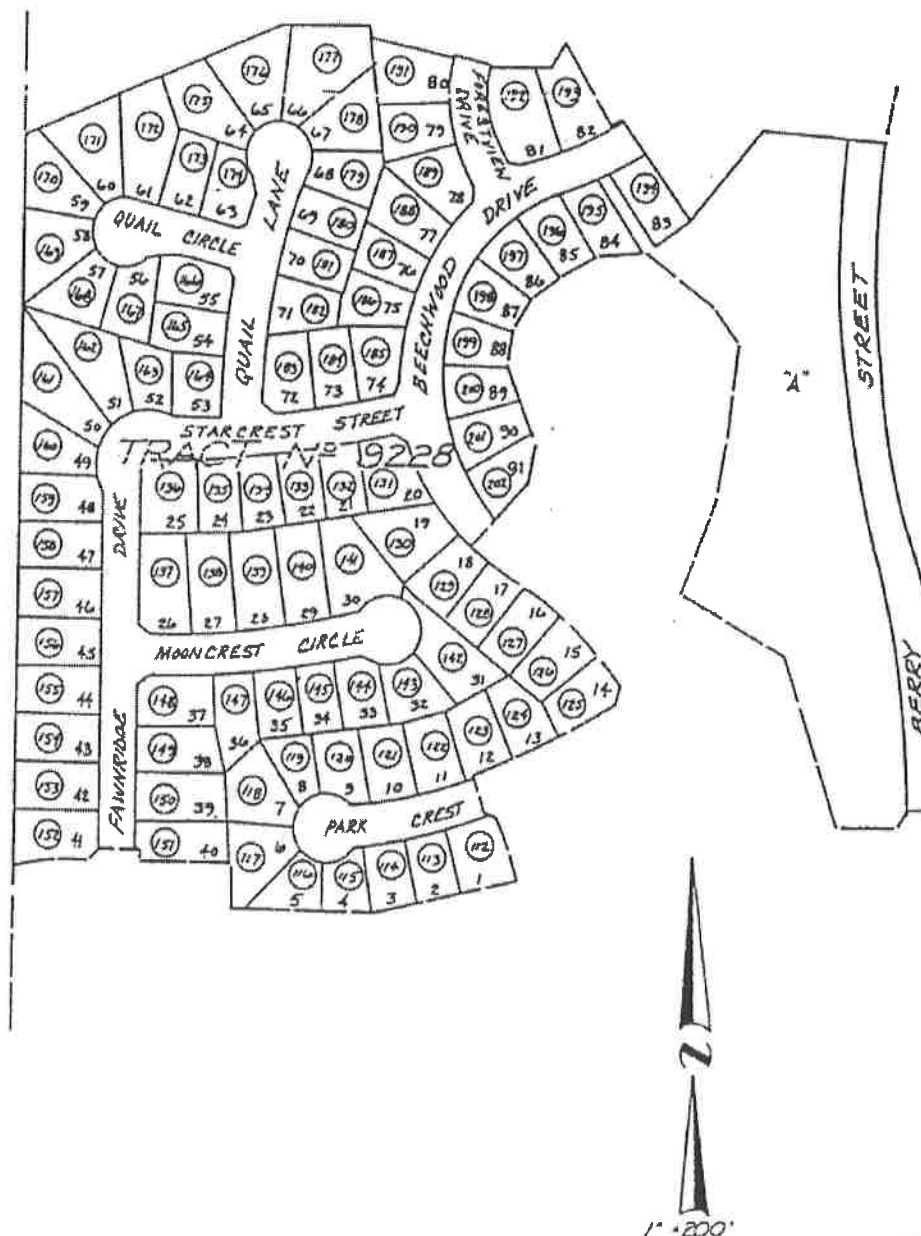
SHEET 1 OF



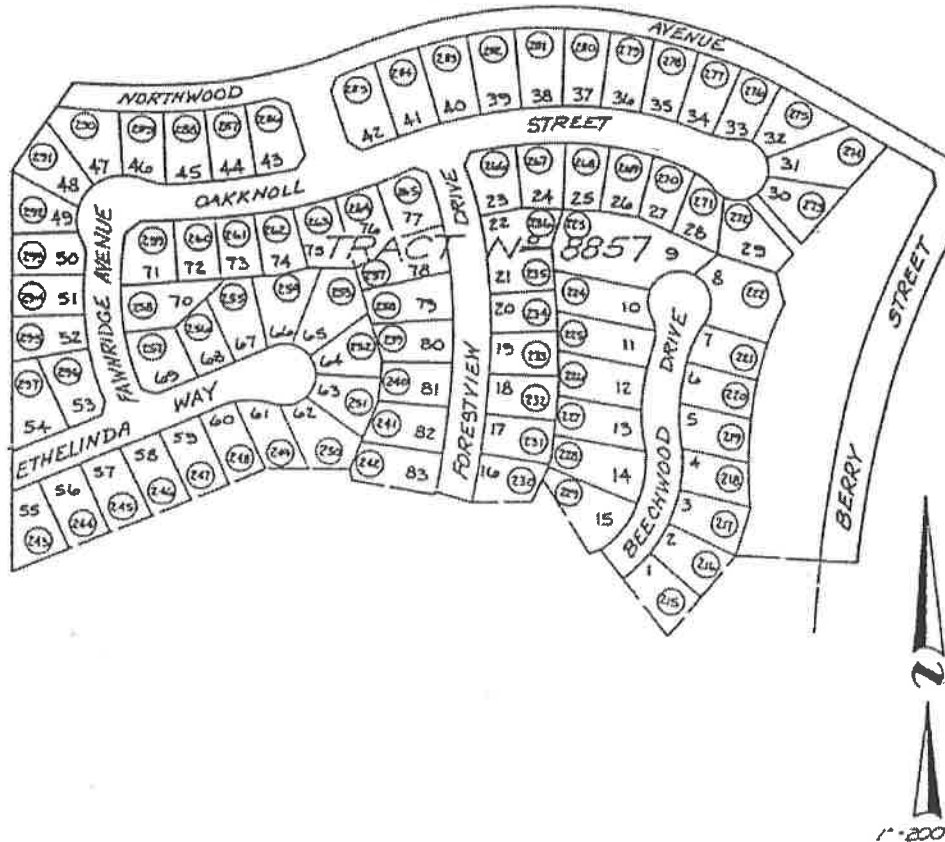
**ASSESSMENT DIAGRAM  
TO  
CITY OF BREA STREET LIGHTING ASSESSMENT  
DISTRICT N<sup>o</sup> 2**

**SHEET 2 OF**





ASSESSMENT DIAGRAM  
TO  
CITY OF BREA STREET LIGHTING ASSESSMENT  
DISTRICT N° 2  
SHEET 3C



ASSESSMENT DIAGRAM  
TO  
CITY OF BREA STREET LIGHTING ASSESSMENT  
DISTRICT N<sup>o</sup> 2  
SHEET 40

**Landscape and Lighting  
Maintenance District  
No. 3  
City of Brea**

**Prepared under the authority of the  
Landscape and Lighting Act of 1972  
Streets and Highways Code  
State of California**

**Fiscal Year 2018-19**

**Submitted by:**

**Tony Olmos  
Director of Public Works**

**April 17, 2018**

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## City of Brea

May 1, 2018

Honorable Mayor and City Council  
City of Brea  
1 Civic Center Circle  
Brea, CA 92821-5732

**Re: Engineer's Report, Landscape & Lighting Maintenance District No. 3**

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 3, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Tony Olmos, P.E., Director  
Public Works Department

**City Council**

**Glenn Parker**  
*Mayor*

**Christine Marick**  
*Mayor Pro Tem*

**Cecilia Hupp**  
*Council Member*

**Marty Simonoff**  
*Council Member*

**Steven Vargas**  
*Council Member*

## Introduction and Background

### **Introduction:**

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code, Article XIIIID of the California Constitution, and the Proposition 218 Omnibus Implementation Act.

### **Background:**

The City Council of the City of Brea adopted Resolution No. 78-77 on July 5, 1978 creating Lighting and Maintenance District No. 3. This Lighting and Maintenance District was a condition of development for Tract No. 8242 in the City of Brea.

Tract No. 8242 was planned and has been developed adjacent to a 40-foot MWD easement for the MWD Lower Feeder, which diagonally traverses the property limits of Tract No. 8242.

This MWD easement was graded (within the limits of MWD specifications) and landscaped (under conditions of development) to act as a greenbelt trail area for the residents of the tract.

In addition to the MWD easement greenbelt, another landscaping greenbelt area was completed in a 20-foot easement adjacent to Birch Street.

In order to assure the maintenance of the greenbelts and the payment of fees for maintaining the greenbelt and the cost of energy for theme lighting, a condition of development was the requirement that a Lighting and Maintenance District be formed over the entire limits of Tract No. 8242.

In FY 2003-04, the property owners submitted ballots and approved an increase in assessment rate. Included in that balloting was an annual CPI escalator which allows the assessment rate to keep up with the cost of living. The annual escalator sets the maximum rate that the properties might be assessed.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

## **PART A PLANS AND SPECIFICATIONS**

The facilities, which consist of greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

### Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

### Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

## PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the landscape and lighting improvements for Fiscal Year 2018-19, as described in Part A, are summarized herein and described below.

### MAINTENANCE DISTRICT # 3 - ANNUAL COST FACTORS

Acct #	Description	FY 18-19 Est.
<b>1. Fixed Costs</b>		<b>Expenses</b>
4111	Salaries & Benefits	\$10,676
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$100
	<b>Fixed Costs Totals</b>	<b>\$10,876</b>
<b>2. ROUTINE COSTS</b>		
4211	Postage	\$170
4249	Professional Svs/Other	\$50,000
4261	Svc & Repair Equipment	\$0
4266	Contract Services/Grounds Maintenance	\$23,750
4282	Electric	\$1,500
4285	Water	\$20,500
4337	Electrical Supplies & Parts	\$250
4339	Construction & Maintenance	\$1,300
4379	Nursery Supplies-Other	\$250
4441	Miscellaneous Expense	\$100
5800	Insurance and Other Expenses	\$1,091
	<b>Routine Costs Totals</b>	<b>\$98,911</b>
	<b>Total Costs (Fixed &amp; Routine)</b>	<b>\$109,787</b>
	<b>Contribution to Capital Replacement Reserve</b>	<b>\$0</b>
	<b>FY 2018-19 Annual Assessments</b>	<b>\$86,448</b>
	<b>Reserve Fund Requirement:</b>	
	Operating Reserve – 50% (6 months)*	\$0
	<b>Capital Replacement Reserve**</b>	
	Estimated Balance 1-July-2018	\$49,282
	Contribution to Capital Replacement Reserve	\$0
	Less planned capital expenditures	\$0
	Estimated Fund Balance 30-Jun-2019	\$25,943



\*The Operating Reserve fund is being established for the District to cover the first six months of expenses annually before collection from the County has been received, as well as unexpected expenses. The funds will not exceed 50% of the anticipated annual expenditures, in anticipation of any maintenance costs that can and do occur during the year.

\*\*The Capital Replacement Reserve fund is established to fund the replacement or refurbishment of components based on life expectancy and value of the improvements within the district. Based on the current fund balance, there are insufficient funds to cover the replacement expenses of the existing improvements.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

## PART C METHOD OF APPORTIONMENT OF ASSESSMENT

### GENERAL

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

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"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 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

In addition, Proposition 218, the "Right to Vote on Taxes Act" which was approved on the November 1996 Statewide ballot and added Article XIII D to the California Constitution, requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. XIII D provides that only special benefits are assessable and the City must separate the general benefits from the special benefits. XIII D also requires that publicly owned property which benefit from the improvements be assessed.

### SPECIAL BENEFIT ANALYSIS

**Street Landscaping, Slopes and Greenbelts.** Trees, landscaping, hardscaping and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property 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 along side the roadway.

The ongoing operation and maintenance of the street landscaping, slopes and greenways within the district, as identified in Part A of this Report, provide beautification to the areas that result in a special benefit to the parcels within the tracts adjacent to the improvements. If these landscaped areas were not properly maintained, the tract would be blighted.

**Theme Lighting.** Proper maintenance and operation of pedestrian and street lights benefit all properties within the District by providing security, safety and community character and vitality as outlined below. Streetlights provide only incidental benefits to motorists traveling to, from or through the area.

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### BENEFITS OF STREET LIGHTING

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#### Security and Safety

- Mitigates crime
- Alleviates the fear of crime
- Enhances safe ingress/egress to property

#### Community Character and Vitality

- Promotes social interaction
  - Contributes to a positive nighttime visual image
- 

### ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$86,448 / 188 \text{ SFR's} = \$459.83 / \text{SFR}$$

**This assessment rate is the maximum rate.** This maximum assessment rate will be increased each year by the annual change in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. The calculation for the maximum assessment rate is provided in the table below. The increase in CPI for FY 2018-19 is 2.8%.

Maximum Assessment Rate Calculation		
Fiscal Year	CPI Increase	Maximum Assessment
FY 2003-04		\$336.27 / SFR
FY 2004-05	1.8%	\$342.32 / SFR
FY 2005-06	4.4%	\$357.39 / SFR
FY 2006-07	4.5%	\$373.47 / SFR
FY 2007-08	4.3%	\$389.53 / SFR
FY 2008-09	3.3%	\$402.38 / SFR
FY 2009-10	3.5%	\$416.47 / SFR
FY 2010-11	0%	\$416.47 / SFR
FY 2011-12	1.2%	\$421.47 / SFR
FY 2012-13	2.7%	\$432.85 / SFR
FY 2013-14	2%	\$441.51 / SFR
FY 2014-15	1.1%	\$446.37 / SFR
FY 2015-16	.7%	\$449.49 / SFR
FY 2016-17	2%	\$458.48 / SFR
FY 2017-18	1.9%	\$467.19 / SFR
FY 2018-19	2.8%	\$480.27 / SFR

## PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2018-19 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	32026208	1	8242	\$402.38	39	32024107	39	8242	\$402.38
2	32026209	2	8242	\$402.38	40	32024108	40	8242	\$402.38
3	32026210	3	8242	\$402.38	41	32024109	41	8242	\$402.38
4	32026211	4	8242	\$402.38	42	32024110	42	8242	\$402.38
5	32026212	5	8242	\$402.38	43	32024111	43	8242	\$402.38
6	32026213	6	8242	\$402.38	44	32024112	44	8242	\$402.38
7	32026214	7	8242	\$402.38	45	32024113	45	8242	\$402.38
8	32026215	8	8242	\$402.38	46	32024114	46	8242	\$402.38
9	32025401	9	8242	\$402.38	47	32024125	47	8242	\$402.38
10	32025402	10	8242	\$402.38	48	32024126	48	8242	\$402.38
11	32025403	11	8242	\$402.38	49	32024127	49	8242	\$402.38
12	32025404	12	8242	\$402.38	50	32024128	50	8242	\$402.38
13	32025405	13	8242	\$402.38	51	32024123	51	8242	\$402.38
14	32025406	14	8242	\$402.38	52	32024124	52	8242	\$402.38
15	32025311	15	8242	\$402.38	53	32024210	53	8242	\$402.38
16	32025309	16	8242	\$402.38	54	32024209	54	8242	\$402.38
17	32025308	17	8242	\$402.38	55	32024208	55	8242	\$402.38
18	32025307	18	8242	\$402.38	56	32024207	56	8242	\$402.38
19	32025306	19	8242	\$402.38	57	32024206	57	8242	\$402.38
20	32025305	20	8242	\$402.38	58	32024205	58	8242	\$402.38
21	32025304	21	8242	\$402.38	59	32024204	59	8242	\$402.38
22	32025303	22	8242	\$402.38	60	32024203	60	8242	\$402.38
23	32025302	23	8242	\$402.38	61	32024202	61	8242	\$402.38
24	32025301	24	8242	\$402.38	62	32024201	62	8242	\$402.38
25	32025207	25	8242	\$402.38	63	32024226	63	8242	\$402.38
26	32025208	26	8242	\$402.38	64	32024225	64	8242	\$402.38
27	32025209	27	8242	\$402.38	65	32024224	65	8242	\$402.38
28	32025210	28	8242	\$402.38	66	32024223	66	8242	\$402.38
29	32025201	29	8242	\$402.38	67	32024222	67	8242	\$402.38
30	32025202	30	8242	\$402.38	68	32024221	68	8242	\$402.38
31	32025203	31	8242	\$402.38	69	32024220	69	8242	\$402.38
32	32025204	32	8242	\$402.38	70	32024219	70	8242	\$402.38
33	32024101	33	8242	\$402.38	71	32024218	71	8242	\$402.38
34	32024102	34	8242	\$402.38	72	32024217	72	8242	\$402.38
35	32024103	35	8242	\$402.38	73	32024216	73	8242	\$402.38
36	32024104	36	8242	\$402.38	74	32024215	74	8242	\$402.38
37	32024105	37	8242	\$402.38	75	32024214	75	8242	\$402.38
38	32024106	38	8242	\$402.38	76	32024213	76	8242	\$402.38

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
77	32024212	77	8242	\$402.38	126	32026244	126	8242	\$402.38
78	32024211	78	8242	\$402.38	127	32026245	127	8242	\$402.38
79	32025138	79	8242	\$402.38	128	32026246	128	8242	\$402.38
80	32025137	80	8242	\$402.38	130	32026248	130	8242	\$402.38
81	32025136	81	8242	\$402.38	131	32026249	131	8242	\$402.38
82	32025135	82	8242	\$402.38	132	32024305	132	8242	\$402.38
83	32025134	83	8242	\$402.38	133	32024306	133	8242	\$402.38
84	32025133	84	8242	\$402.38	134	32024307	134	8242	\$402.38
85	32025132	85	8242	\$402.38	135	32024308	135	8242	\$402.38
86	32025131	86	8242	\$402.38	136	32024309	136	8242	\$402.38
87	32025130	87	8242	\$402.38	137	32024310	137	8242	\$402.38
88	32025129	88	8242	\$402.38	138	32024401	138	8242	\$402.38
89	32025128	89	8242	\$402.38	139	32024402	139	8242	\$402.38
90	32025127	90	8242	\$402.38	140	32024403	140	8242	\$402.38
91	32025126	91	8242	\$402.38	141	32024404	141	8242	\$402.38
92	32025125	92	8242	\$402.38	142	32024405	142	8242	\$402.38
93	32025124	93	8242	\$402.38	143	32024406	143	8242	\$402.38
94	32025123	94	8242	\$402.38	144	32024407	144	8242	\$402.38
95	32025122	95	8242	\$402.38	145	32026234	145	8242	\$402.38
96	32025121	96	8242	\$402.38	146	32026235	146	8242	\$402.38
97	32025120	97	8242	\$402.38	147	32026236	147	8242	\$402.38
98	32025119	98	8242	\$402.38	148	32026237	148	8242	\$402.38
99	32025118	99	8242	\$402.38	149	32026238	149	8242	\$402.38
100	32025117	100	8242	\$402.38	150	32026239	150	8242	\$402.38
101	32025116	101	8242	\$402.38	151	32026240	151	8242	\$402.38
102	32025115	102	8242	\$402.38	152	32026241	152	8242	\$402.38
103	32024301	103	8242	\$402.38	153	32026217	153	8242	\$402.38
104	32024302	104	8242	\$402.38	154	32026218	154	8242	\$402.38
105	32024302	105	8242	\$402.38	155	32026319	155	8242	\$402.38
106	32024304	106	8242	\$402.38	156	32026220	156	8242	\$402.38
107	32026250	107	8242	\$402.38	157	32026221	157	8242	\$402.38
108	32026251	108	8242	\$402.38	158	32026227	158	8242	\$402.38
109	32026252	109	8242	\$402.38	159	32026228	159	8242	\$402.38
110	32026253	110	8242	\$402.38	160	32026229	160	8242	\$402.38
111	32025114	111	8242	\$402.38	161	32026230	161	8242	\$402.38
112	32025113	112	8242	\$402.38	162	32026231	162	8242	\$402.38
113	32025112	113	8242	\$402.38	163	32026232	163	8242	\$402.38
114	32025111	114	8242	\$402.38	164	32026233	164	8242	\$402.38
115	32025109	115	8242	\$402.38	165	32026222	165	8242	\$402.38
116	32025108	116	8242	\$402.38	166	32026223	166	8242	\$402.38
117	32025107	117	8242	\$402.38	167	32026224	167	8242	\$402.38
118	32025106	118	8242	\$402.38	168	32026225	168	8242	\$402.38
119	32025105	119	8242	\$402.38	169	32026226	169	8242	\$402.38
120	32025104	120	8242	\$402.38	170	32026206	170	8242	\$402.38
121	32025103	121	8242	\$402.38	171	32026205	171	8242	\$402.38
122	32025102	122	8242	\$402.38	172	32026204	172	8242	\$402.38
123	32025101	123	8242	\$402.38	173	32026203	173	8242	\$402.38
124	32026242	124	8242	\$402.38	174	32026202	174	8242	\$402.38
125	32026243	125	8242	\$402.38	175	32026201	175	8242	\$402.38

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AD #	APN	Lot	Tract	Asmt
176	32026101	176	8242	\$402.38
177	32026102	177	8242	\$402.38
178	32026103	178	8242	\$402.38
179	32026104	179	8242	\$402.38
180	32026105	180	8242	\$402.38
181	32026106	181	8242	\$402.38
182	32026107	182	8242	\$402.38
183	32026108	183	8242	\$402.38
184	32026109	184	8242	\$402.38
185	32026110	185	8242	\$402.38
186	32026111	186	8242	\$402.38
187	32026112	187	8242	\$402.38
188	32026113	188	8242	\$402.38

## **PART E ASSESSMENT DISTRICTS' BOUNDARIES**

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 3 is included herein.

The boundaries of the District are described as being the blue border of Tract No. 8242, as shown on a map recorded in Book 428, pages 19 through 24 of Miscellaneous Maps of Orange County, California.

Assessment Parcels 1 through 188 being also Lots 1 through 188 of Tract No. 8242.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2018-19. The Assessor's maps and records are incorporated by reference herein and made part of this report.





LEGEND

- STREET LIGHTING DISTRICT BOUNDARY
- CITY OF BREa BOUNDARY
- 12 LOT NUMBER
- ⑪ ASSESSMENT NUMBER



ASSESSMENT DIAGRAM BOUNDRIES  
STREET LIGHTING AND MAINTANENCE DISTRICT NO.3  
IN THE CITY OF BREa, COUNTY OF ORANGE, STATE OF CALIFORNIA

SHEET 1 OF 1

**Lighting  
Maintenance District  
No. 4**

**City of Brea**

**Prepared under the authority of the  
Landscaping and Lighting Act of 1972  
Streets and Highways Code  
State of California**

**Fiscal Year 2018-19**

**Submitted by:**

**Tony Olmos  
Director of Public Works**

**April 17, 2018**

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## City of Brea

May 1, 2018

Honorable Mayor and City Council  
City of Brea  
1 Civic Center Circle  
Brea, CA 92821-5732

**Re: Engineer's Report, Lighting Maintenance District No. 4**

Transmitted herewith for your review and consideration is a report entitled, "Lighting Maintenance District No. 4, City of Brea."

This report has been prepared in accordance with the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscaping and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Tony Olmos, P.E., Director  
Public Works Department

**City Council**

**Glenn Parker**  
*Mayor*

**Christine Marick**  
*Mayor Pro Tem*

**Cecilia Hupp**  
*Council Member*

**Marty Simonoff**  
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**Steven Vargas**  
*Council Member*

## Introduction and Background

### **Introduction:**

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

### **Background:**

The City Council of the City of Brea adopted Resolution No. 78-7 on January 3, 1978 approving Tentative Tract 9298 and the condition therefore for the improvement of Tentative Tract 9298.

On May 26, 1981, the City Council of the City of Brea by minute motion deleted paragraph AA of PC 91-77 of the Planning Commission of the City of Brea and ordered the creation of a lighting Maintenance District for Street Lighting only. No landscape maintenance requirements are included in this report, as the areas that are landscaped are being maintained by the Homeowners' Association under the requirements of the development upon the sale of any portion of Tentative Tract 9298. The formation of the district and the levy of the first annual assessment were completed in accordance with the requirements of the Landscaping and Lighting Act of 1972 on July 5, 1978, by City Council Resolution No. 78-76.

The purpose of this report is to be utilized by the staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California Streets and Highways Code, Section 22620 to 22631).

## **PART A PLANS AND SPECIFICATIONS**

The facilities, which consist of street lighting, will be operated, serviced and maintained as generally described as follows:

### Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the public lighting facilities or appurtenant facilities; providing for the cleaning, sandblasting, and painting of poles and other improvements for general upkeep and to remove or cover graffiti.

Servicing means the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

## PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2018-19, as described in Part A, are summarized herein and described below.

### MAINTENANCE DISTRICT #4 – ANNUAL COST FACTORS

Acct #	Description	FY 18-19 Est.
<b>1. Fixed Costs</b>		<b>Expenses</b>
4111	Salaries & Benefits	\$1,466
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$0
	<b>Fixed Costs Totals</b>	<b>\$1,566</b>
<b>2. ROUTINE COSTS</b>		
4211	Postage	\$105
4261	Svc & Repair Equipment	\$600
4337	Electrical Supplies & Parts	\$0
4441	Miscellaneous Expense	\$0
5800	Insurance and Other Expenses	\$128
	<b>Routine Costs Totals</b>	<b>\$654</b>
	<b>Total Costs (Fixed &amp; Routine)</b>	<b>\$2,399</b>
	<b>Contribution to Capital Replacement Reserve</b>	<b>\$361</b>
	<b>FY 2018-19 Annual Assessments</b>	<b>\$2,760</b>
	<b>Reserve Fund Requirement:</b>	
	Operating Reserve – 50% (6 months)*	\$1,200
	<b>Capital Replacement Reserve**</b>	
	Estimated Balance 1-July-2018	<b>\$17,986</b>
	Contribution to Capital Replacement Reserve	<b>\$361</b>
	Less planned capital expenditures	<b>\$0</b>
	Estimated Fund Balance 30-Jun-2019	<b>\$16,786</b>

\*The Operating Reserve fund is being established for the District to cover the first six months of expenses annually before collection from the County has been received, as well as unexpected expenses. The funds will not exceed 50% of the anticipated annual expenditures, in anticipation of any maintenance costs that can and do occur during the year.

\*\*The Capital Replacement Reserve fund is established to fund the replacement or refurbishment of components based on life expectancy and value of the improvements within the district. Based on the

current fund balance, there are insufficient funds to cover the replacement expenses of the existing improvements.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.



## **PART C**

### **METHOD OF APPORTIONMENT OF ASSESSMENT**

#### **GENERAL**

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

Section 22573 of the Landscaping and Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"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 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

#### **ASSESSMENT METHODOLOGY**

The Park Paseo Development project (Tract Numbers 10224, 10324, 10325, 10326, 10327 and 9298, all a portion of Tentative Tract No. 9298 in the City of Brea) was developed under conditions of development as required by the City Council of the City of Brea.

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\text{\$2,760} / 230 \text{ SFR's} = \text{\$12.00} / \text{SFR}$$

## PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2018-19 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	32027131	1	10224	\$12.00	41	32027156	10	10324	\$12.00	81	32029208	19	10325	\$12.00
2	32027130	2	10224	\$12.00	42	32027157	11	10324	\$12.00	82	32029209	20	10325	\$12.00
3	32027129	3	10224	\$12.00	43	32027158	12	10324	\$12.00	83	32029210	21	10325	\$12.00
4	32027128	4	10224	\$12.00	44	32027159	13	10324	\$12.00	84	32029211	22	10325	\$12.00
5	32027127	5	10224	\$12.00	45	32027160	14	10324	\$12.00	85	32029212	23	10325	\$12.00
6	32027126	6	10224	\$12.00	46	32027161	15	10324	\$12.00	86	32029213	24	10325	\$12.00
7	32027125	7	10224	\$12.00	47	32027162	16	10324	\$12.00	87	32029214	25	10325	\$12.00
8	32027124	8	10224	\$12.00	48	32027163	17	10324	\$12.00	88	32029215	26	10325	\$12.00
9	32027123	9	10224	\$12.00	49	32027164	18	10324	\$12.00	89	32029201	27	10325	\$12.00
10	32027122	10	10224	\$12.00	50	32027165	19	10324	\$12.00	90	32029202	28	10325	\$12.00
11	32027121	11	10224	\$12.00	51	32027166	20	10324	\$12.00	91	32029203	29	10325	\$12.00
12	32027120	12	10224	\$12.00	52	32027167	21	10324	\$12.00	92	32029204	30	10325	\$12.00
13	32027119	13	10224	\$12.00	53	32027178	1	11827	\$12.00	93	32029205	31	10325	\$12.00
14	32027118	14	10224	\$12.00	54	32027179	2	11827	\$12.00	94	32029206	32	10325	\$12.00
15	32027117	15	10224	\$12.00	55	32027180	3	11827	\$12.00	95	32029207	33	10325	\$12.00
16	32027116	16	10224	\$12.00	56	32029143	4	11827	\$12.00	96	32029112	34	10325	\$12.00
17	32027115	17	10224	\$12.00	57	32029145	5	11827	\$12.00	97	32029148	10	11827	\$12.00
18	32027114	18	10224	\$12.00	58	32029144	6	11827	\$12.00	98	32029149	9	11827	\$12.00
19	32027113	19	10224	\$12.00	59	32029102	28	10324	\$12.00	99	32029150	19	11827	\$12.00
20	32027112	20	10224	\$12.00	60	32029107	29	10324	\$12.00	100	32029151	12	11827	\$12.00
21	32027111	21	10224	\$12.00	61	32029147	7	11827	\$12.00	101	32029152	11	11827	\$12.00
22	32027110	22	10224	\$12.00	62	32029146	8	11827	\$12.00	102	32029253	1	10326	\$12.00
23	32027109	23	10224	\$12.00	63	32029235	1	10325	\$12.00	103	32029254	2	10326	\$12.00
24	32027108	24	10224	\$12.00	64	32029236	2	10325	\$12.00	104	32029255	3	10326	\$12.00
25	32027107	25	10224	\$12.00	65	32029237	3	10325	\$12.00	105	32029256	4	10326	\$12.00
26	32027106	26	10224	\$12.00	66	32029238	4	10325	\$12.00	106	32029257	5	10326	\$12.00
27	32027105	27	10224	\$12.00	67	32029239	5	10325	\$12.00	107	32029258	6	10326	\$12.00
28	32027104	28	10224	\$12.00	68	32029231	6	10325	\$12.00	108	32029246	7	10326	\$12.00
29	32027103	29	10224	\$12.00	69	32029232	7	10325	\$12.00	109	32029247	8	10326	\$12.00
30	32027102	30	10224	\$12.00	70	32029233	8	10325	\$12.00	110	32029248	9	10326	\$12.00
31	32027101	31	10224	\$12.00	71	32029234	9	10325	\$12.00	111	32029249	10	10326	\$12.00
32	32027147	1	10324	\$12.00	72	32029216	10	10325	\$12.00	112	32029250	11	10326	\$12.00
33	32027148	2	10324	\$12.00	73	32029217	11	10325	\$12.00	113	32029251	12	10326	\$12.00
34	32027149	3	10324	\$12.00	74	32029218	12	10325	\$12.00	114	32029252	13	10326	\$12.00
35	32027150	4	10324	\$12.00	75	32029219	13	10325	\$12.00	115	32029240	14	10326	\$12.00
36	32027151	5	10324	\$12.00	76	32029220	14	10325	\$12.00	116	32029241	15	10326	\$12.00
37	32027152	6	10324	\$12.00	77	32029221	15	10325	\$12.00	117	32029242	16	10326	\$12.00
38	32027153	7	10324	\$12.00	78	32029222	16	10325	\$12.00	118	32029243	17	10326	\$12.00
39	32027154	8	10324	\$12.00	79	32029223	17	10325	\$12.00	119	32029244	18	10326	\$12.00
40	32027155	9	10324	\$12.00	80	32029224	18	10325	\$12.00	120	32029245	19	10326	\$12.00

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
121	32029225	20	10326	\$12.00	179	32031369	3	9298	\$12.00
122	32029226	21	10326	\$12.00	180	32031368	4	9298	\$12.00
123	32029227	22	10326	\$12.00	181	32031367	5	9298	\$12.00
124	32029228	23	10326	\$12.00	182	32031366	6	9298	\$12.00
125	32029229	24	10326	\$12.00	183	32031365	7	9298	\$12.00
126	32029230	25	10326	\$12.00	184	32031364	8	9298	\$12.00
127	32029153	16	11827	\$12.00	185	32031363	9	9298	\$12.00
128	32029154	15	11827	\$12.00	186	32031362	10	9298	\$12.00
129	32029155	14	11827	\$12.00	187	32031361	11	9298	\$12.00
130	32029156	17	11827	\$12.00	188	32031360	12	9298	\$12.00
131	32029122	30	10326	\$12.00	189	32031359	13	9298	\$12.00
132	32029123	31	10326	\$12.00	190	32031358	14	9298	\$12.00
133	32029124	32	10326	\$12.00	191	32031357	15	9298	\$12.00
134	32029125	33	10326	\$12.00	192	32031356	16	9298	\$12.00
135	32029126	34	10326	\$12.00	193	32031355	17	9298	\$12.00
136	32031320	1	10327	\$12.00	194	32031354	18	9298	\$12.00
137	32031319	2	10327	\$12.00	195	32031353	19	9298	\$12.00
138	32031101	3	10327	\$12.00	196	32031352	20	9298	\$12.00
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148	32029261	13	10327	\$12.00	206	32031342	30	9298	\$12.00
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157	32029130	22	10327	\$12.00	215	32031333	39	9298	\$12.00
158	32029131	23	10327	\$12.00	216	32031332	40	9298	\$12.00
159	32031301	24	10327	\$12.00	217	32031331	41	9298	\$12.00
160	32031302	25	10327	\$12.00	218	32031401	42	9298	\$12.00
161	32031303	26	10327	\$12.00	219	32031402	43	9298	\$12.00
162	32031304	27	10327	\$12.00	220	32031403	44	9298	\$12.00
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171	32031313	36	10327	\$12.00	229	32031412	53	9298	\$12.00
172	32031314	37	10327	\$12.00	230	32031413	54	9298	\$12.00
173	32031315	38	10327	\$12.00					
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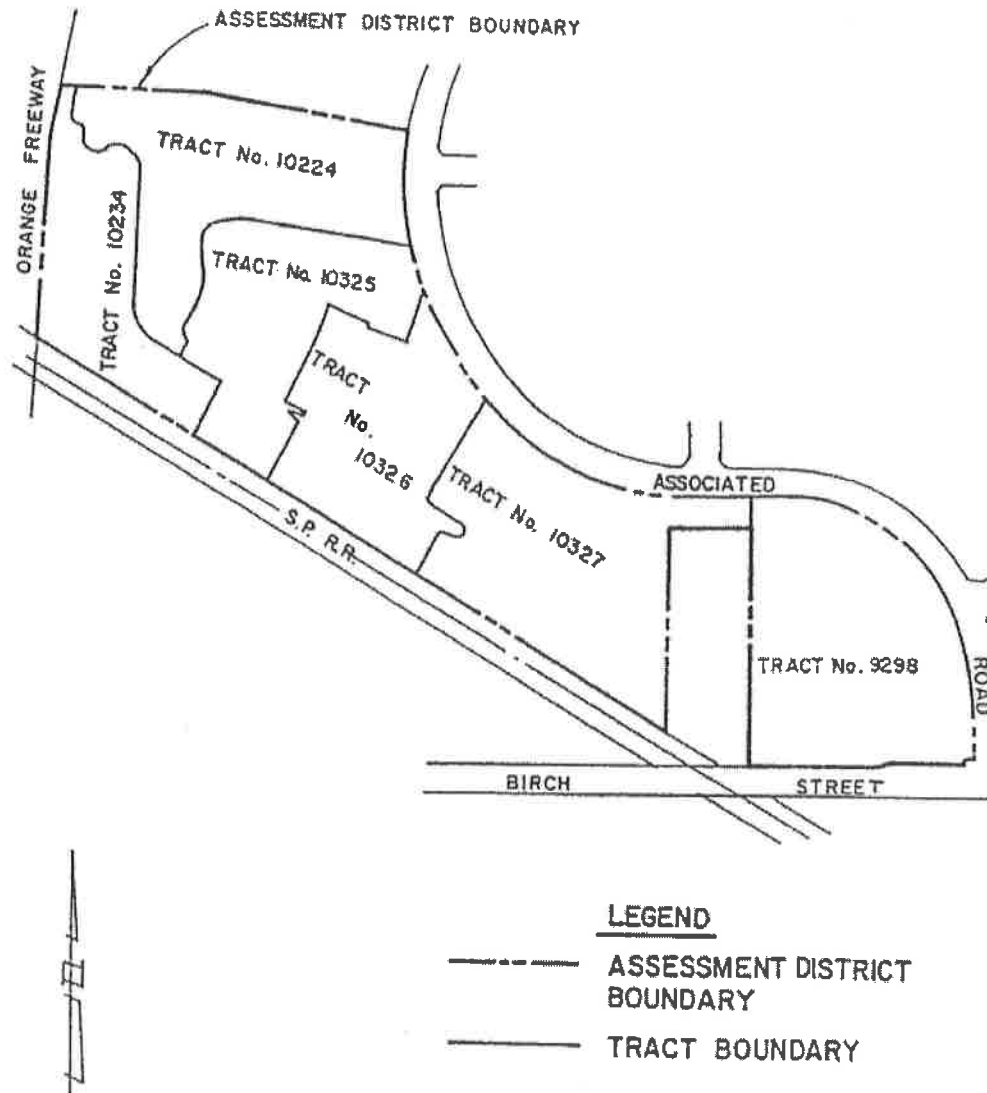
## **PART E ASSESSMENT DISTRICTS' BOUNDARIES**

A diagram of the boundaries of Lighting Maintenance District No. 4 is included herein.

District No. 4 is generally located east of the Orange Freeway, North of Birch Street and the Southern Pacific Railroad right of way and South and West of Associated Road. The lands within the District boundaries include Tract 10224, Tract 10324, Tract 10325, Tract 10326, Tract 10327 and Tract 9298 in the City of Brea, County of Orange, State of California. The entire Project is commonly known as "Park Paseo" project in the City of Brea.

The boundaries of the District are described as the North line of Tract 10224, the Easterly line of Tracts 10224 and Tract 10324, the Northerly line of Tracts 10326, Tract 10327 and Tract 9298, the Easterly line of Tract 9298 together with the South line of Tract 9298 and the Southerly line of Tract 10327, Tract 10326, Tract 10325, Tract 10324 and the West line and North line of Tract 10324 in the City of Brea, County of Orange, State of California.

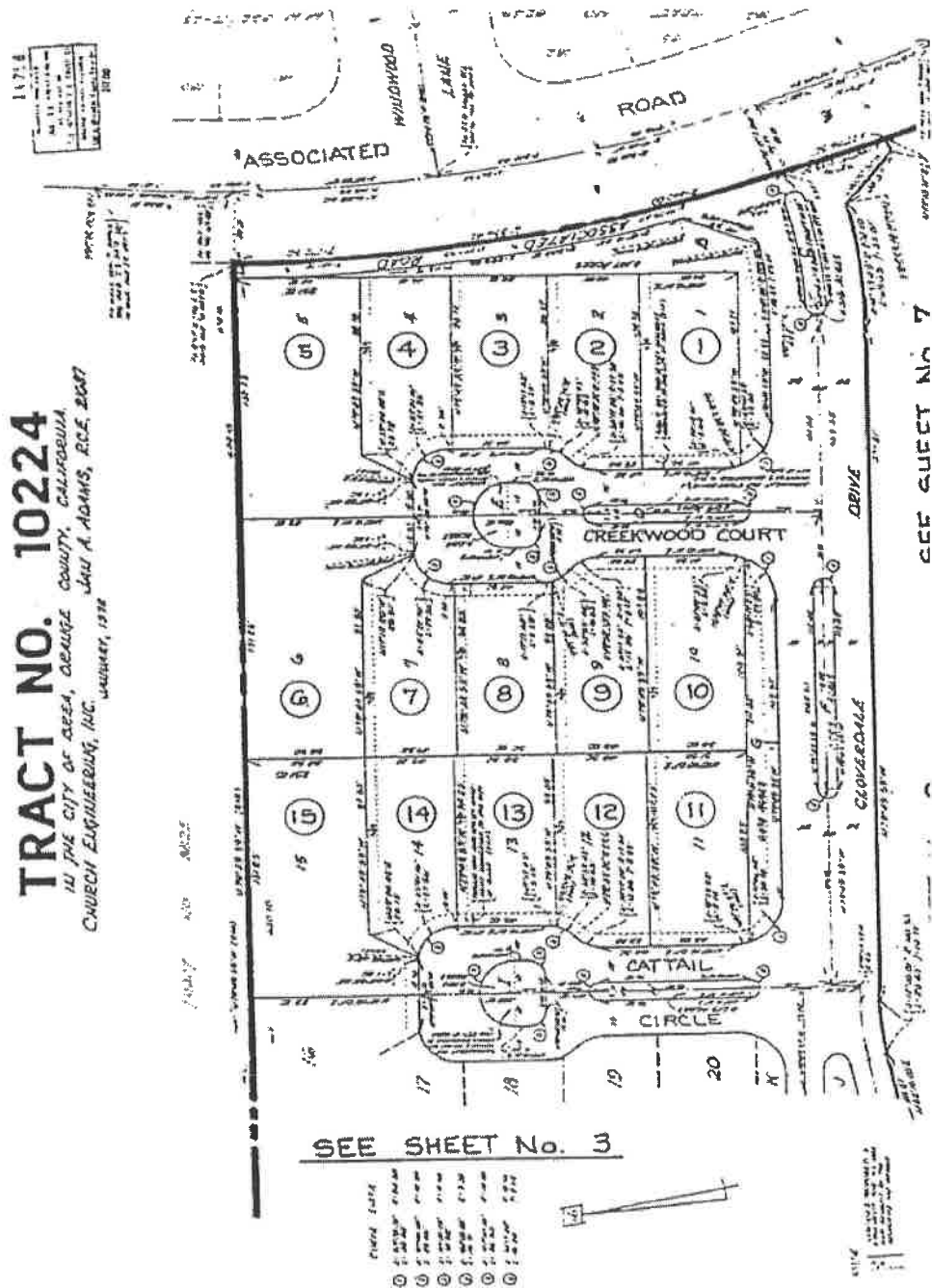
Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2018-19. The Assessor's maps and records are incorporated by reference herein and made part of this report.



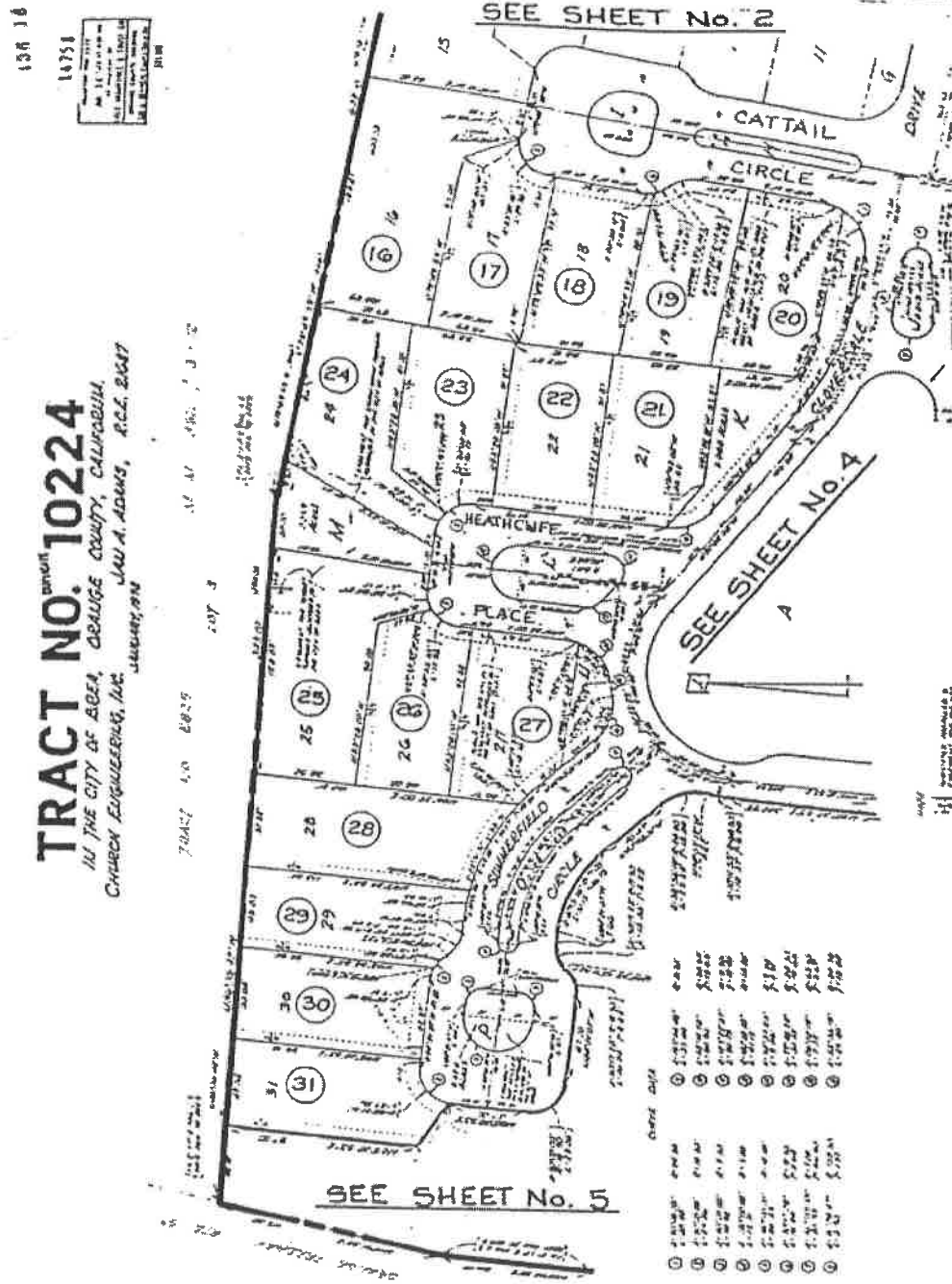
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**ASSESSMENT DIAGRAM**  
**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 1 OF 17

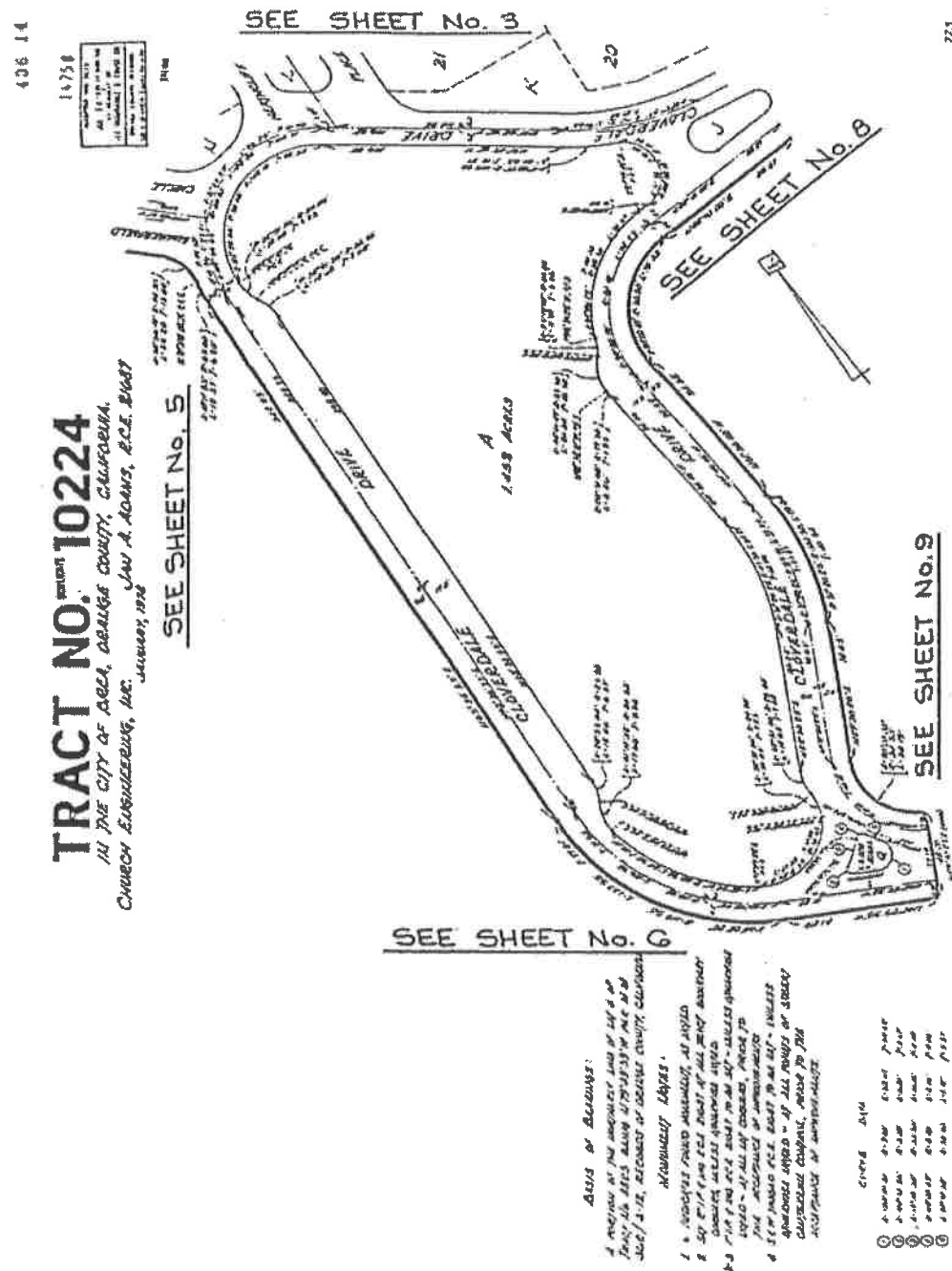
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**ASSESSMENT DIAGRAM**  
**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 2 OF 1



**ASSESSMENT DIAGRAM**  
**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 3 OF 17



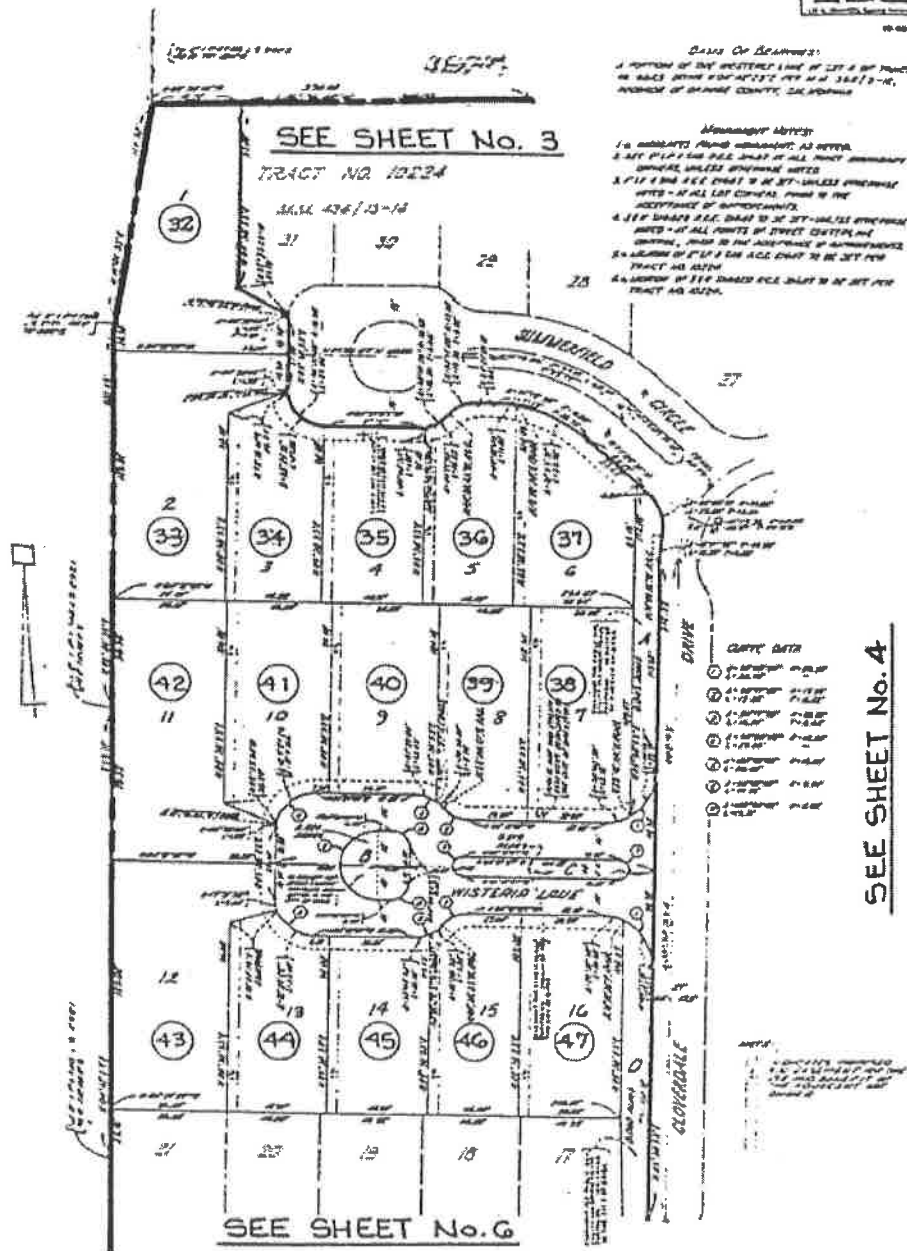
## ASSESSMENT DIAGRAM

CITY OF BREA STREET LIGHTING ASSESSMENT  
DISTRICT No. 4

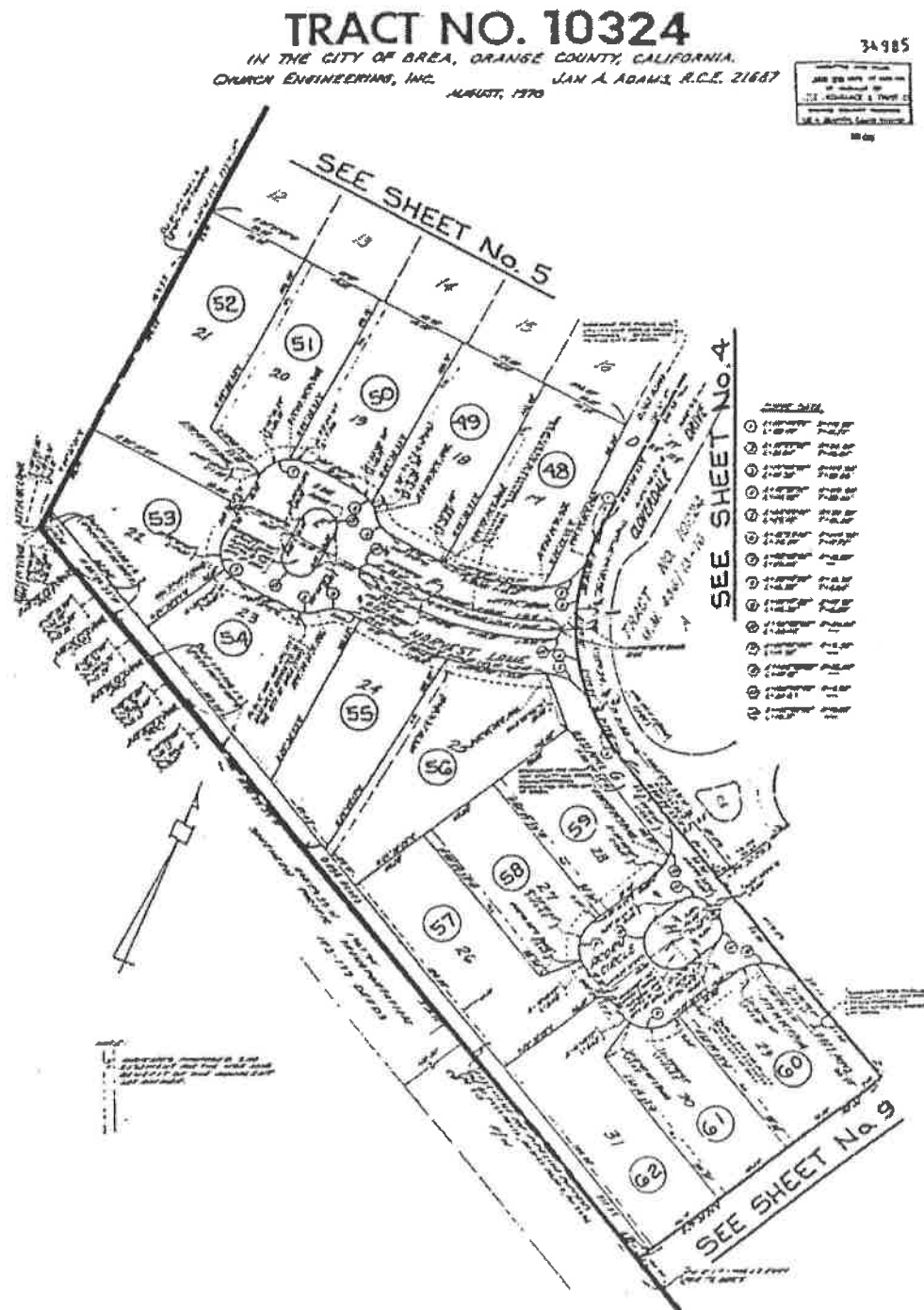
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 4 OF 17



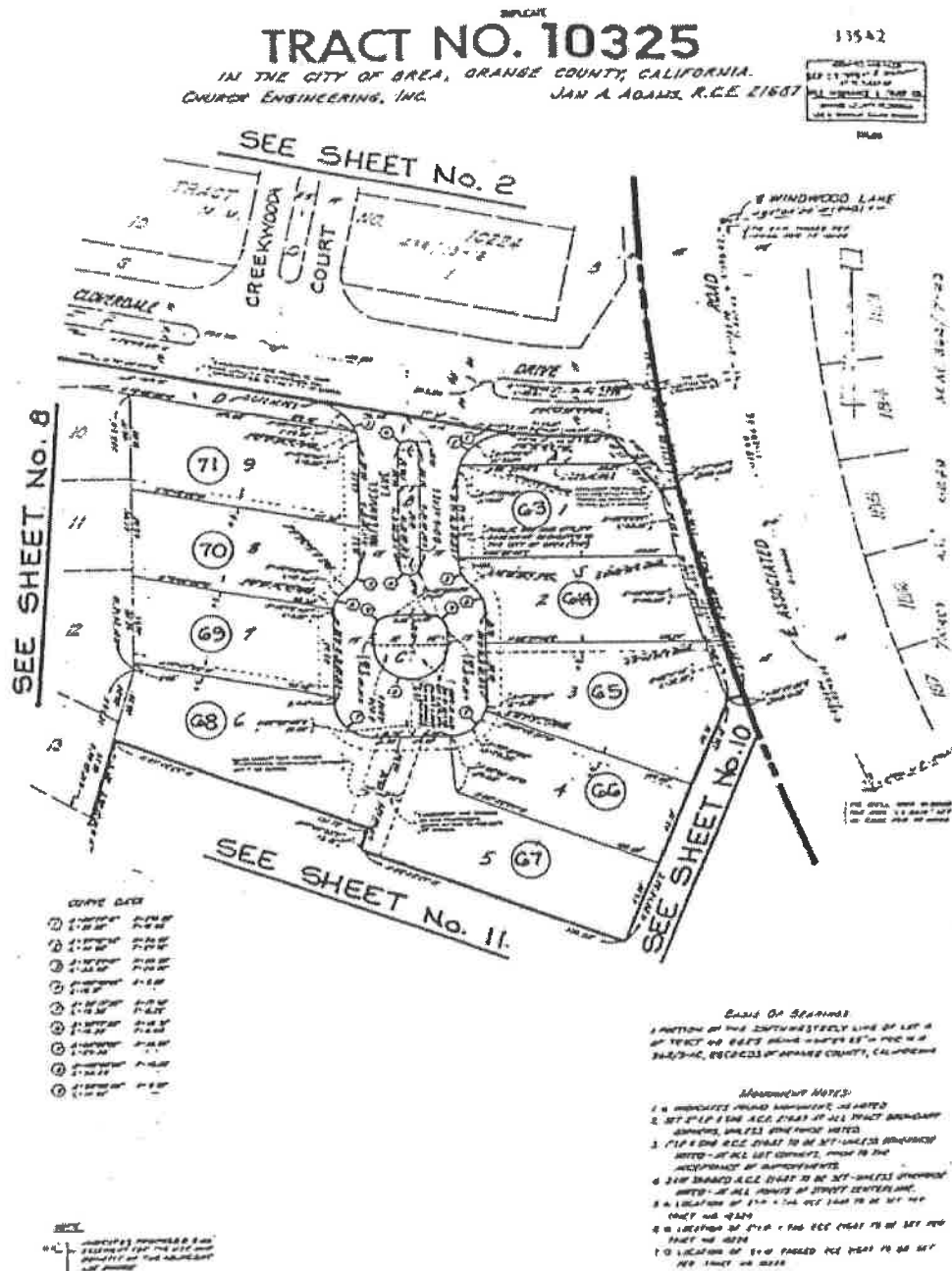
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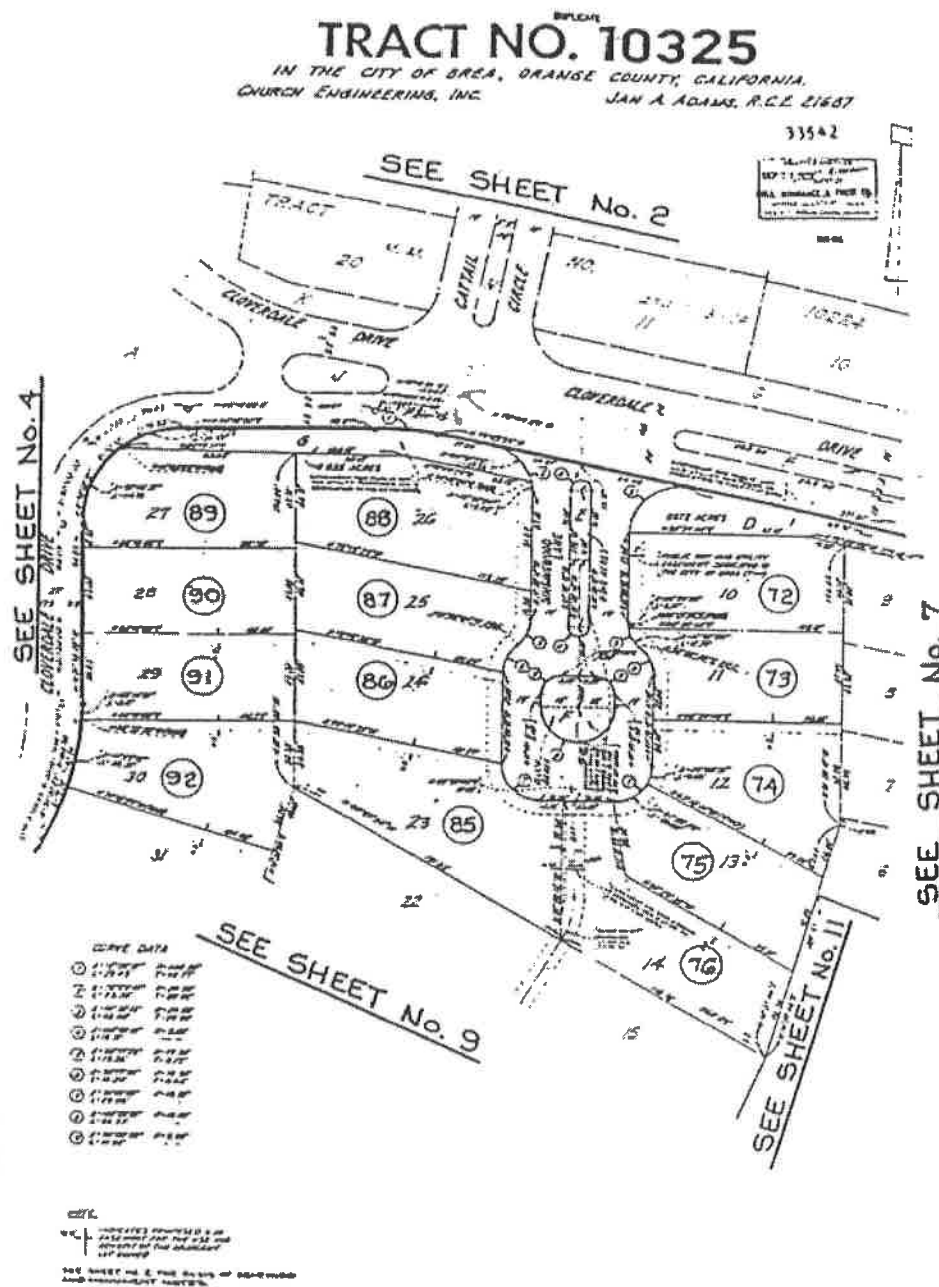
**ASSESSMENT DIAGRAM**  
**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 5 OF 17



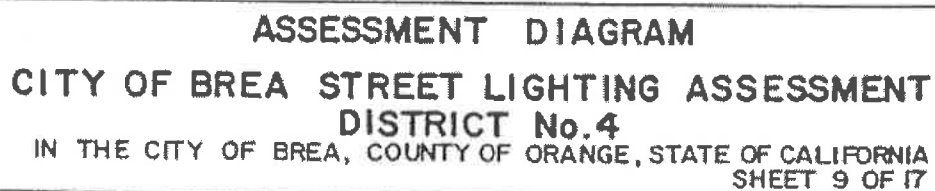
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**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 6 OF 17



**ASSESSMENT DIAGRAM**  
**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 7 OF 17

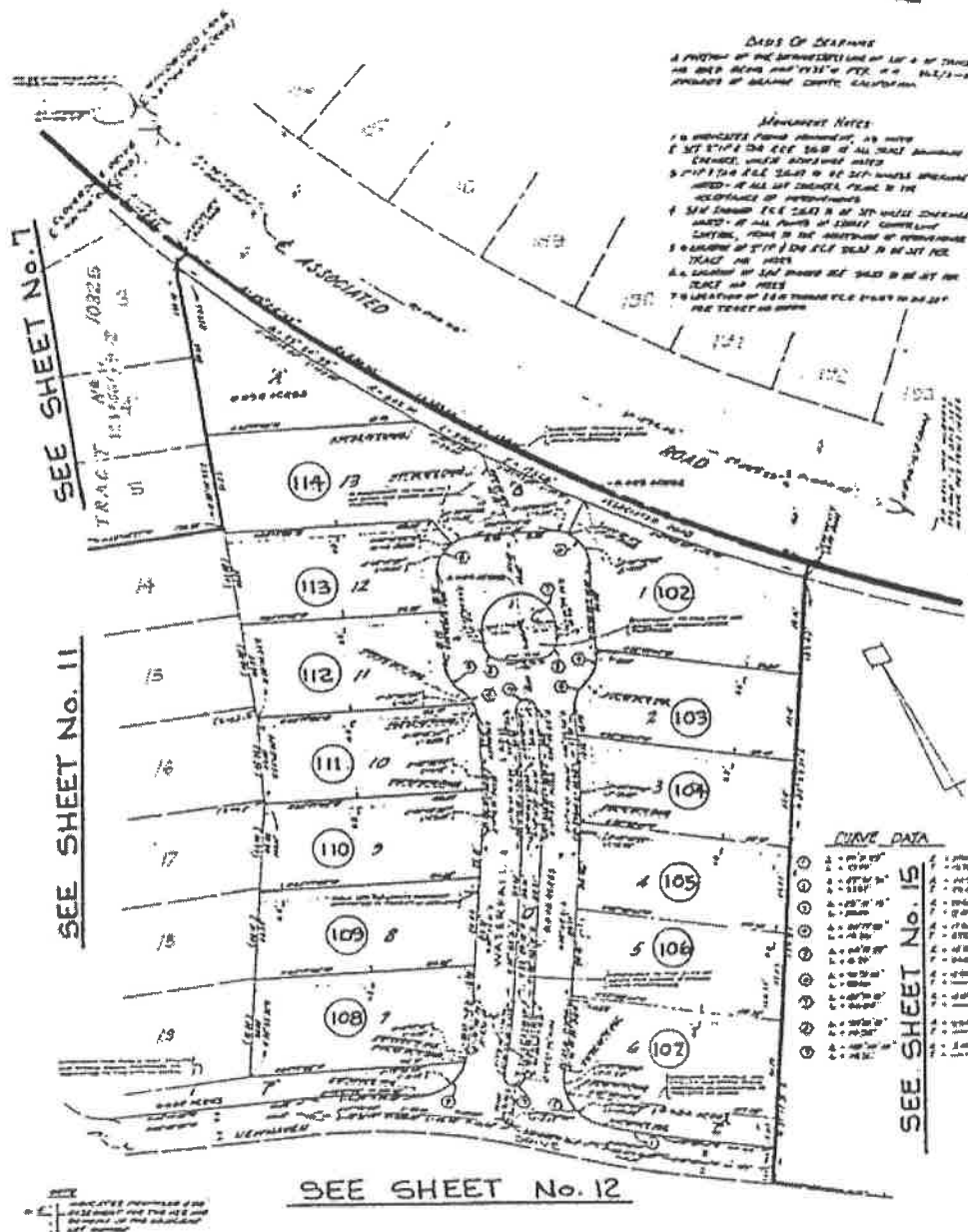


**ASSESSMENT DIAGRAM**  
**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 8 OF 17



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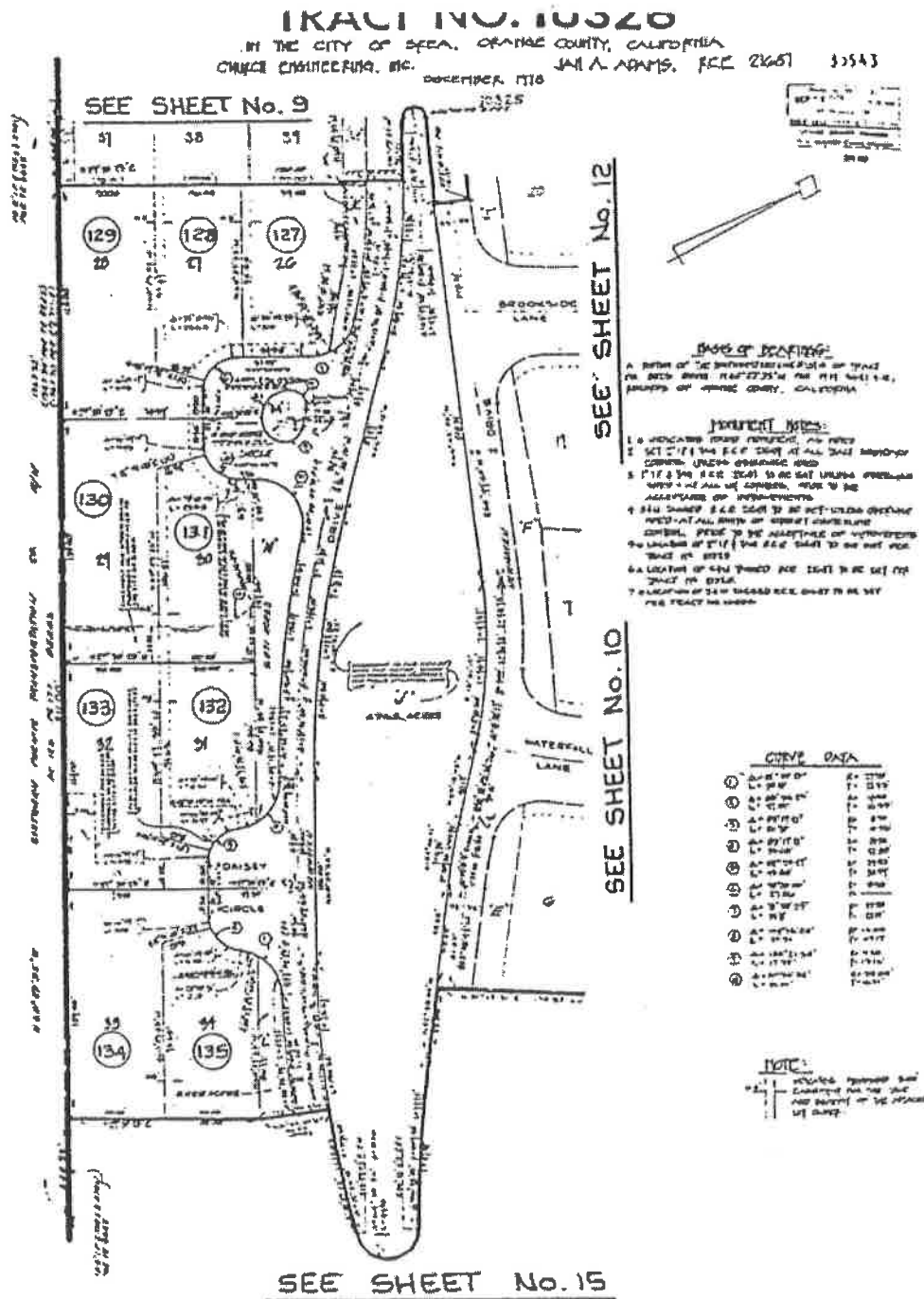
RECEIVED  
JAN 11 1964  
U.S. DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
WASHINGTON, D.C.



CITY OF BREA STREET LIGHTING ASSESSMENT  
DISTRICT No. 4

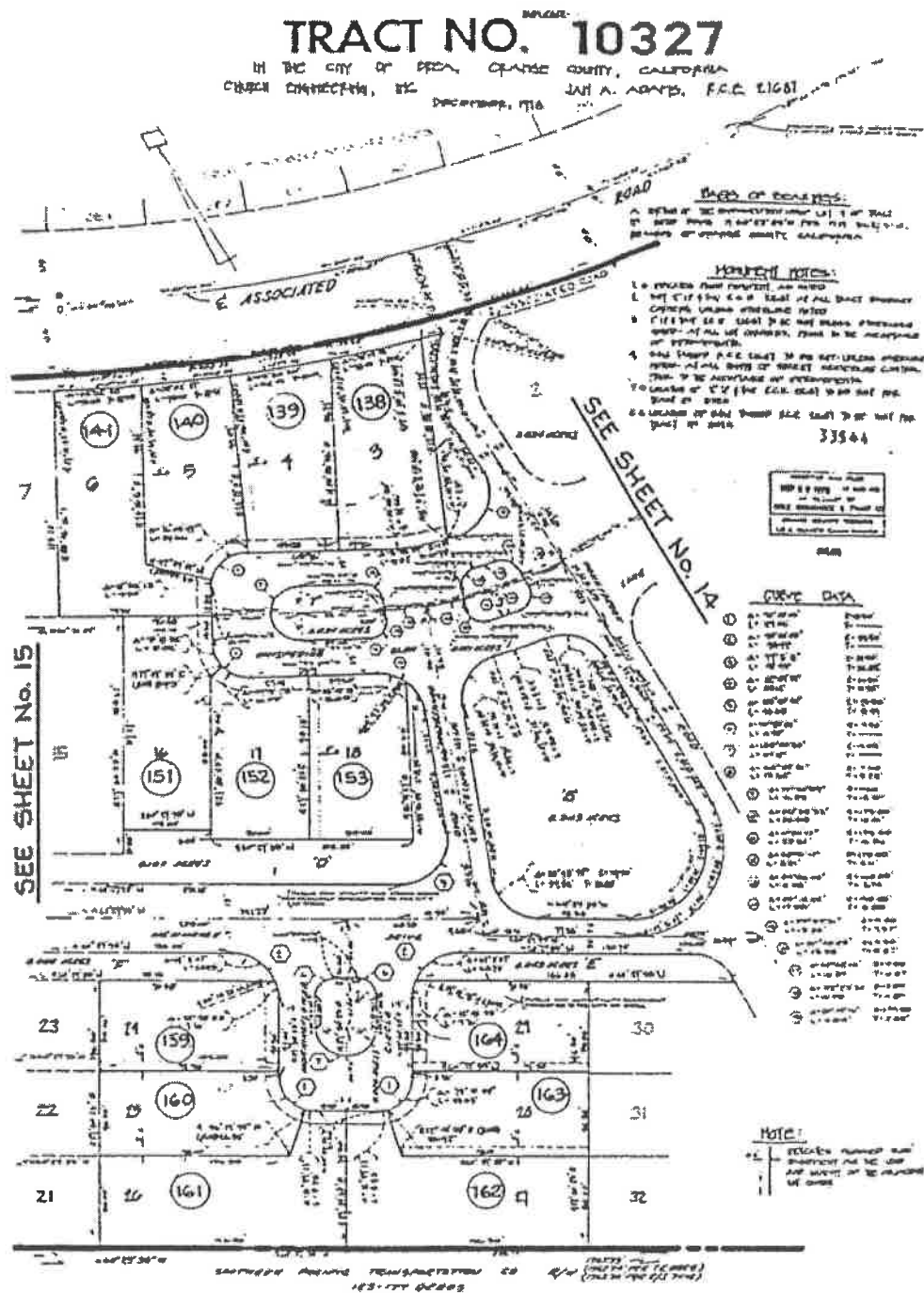
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 10 OF 17



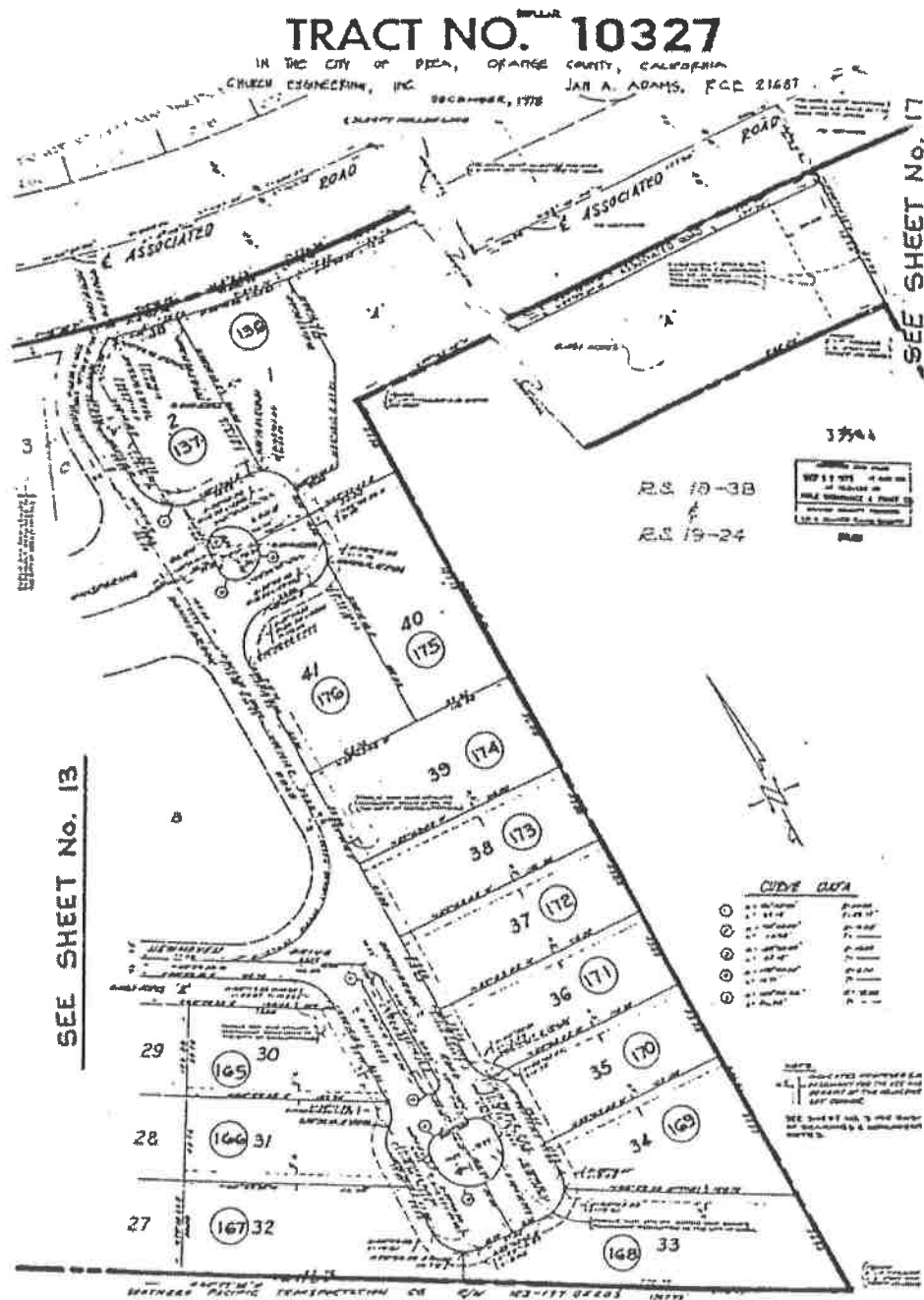


**ASSESSMENT DIAGRAM**  
**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 12 OF 17

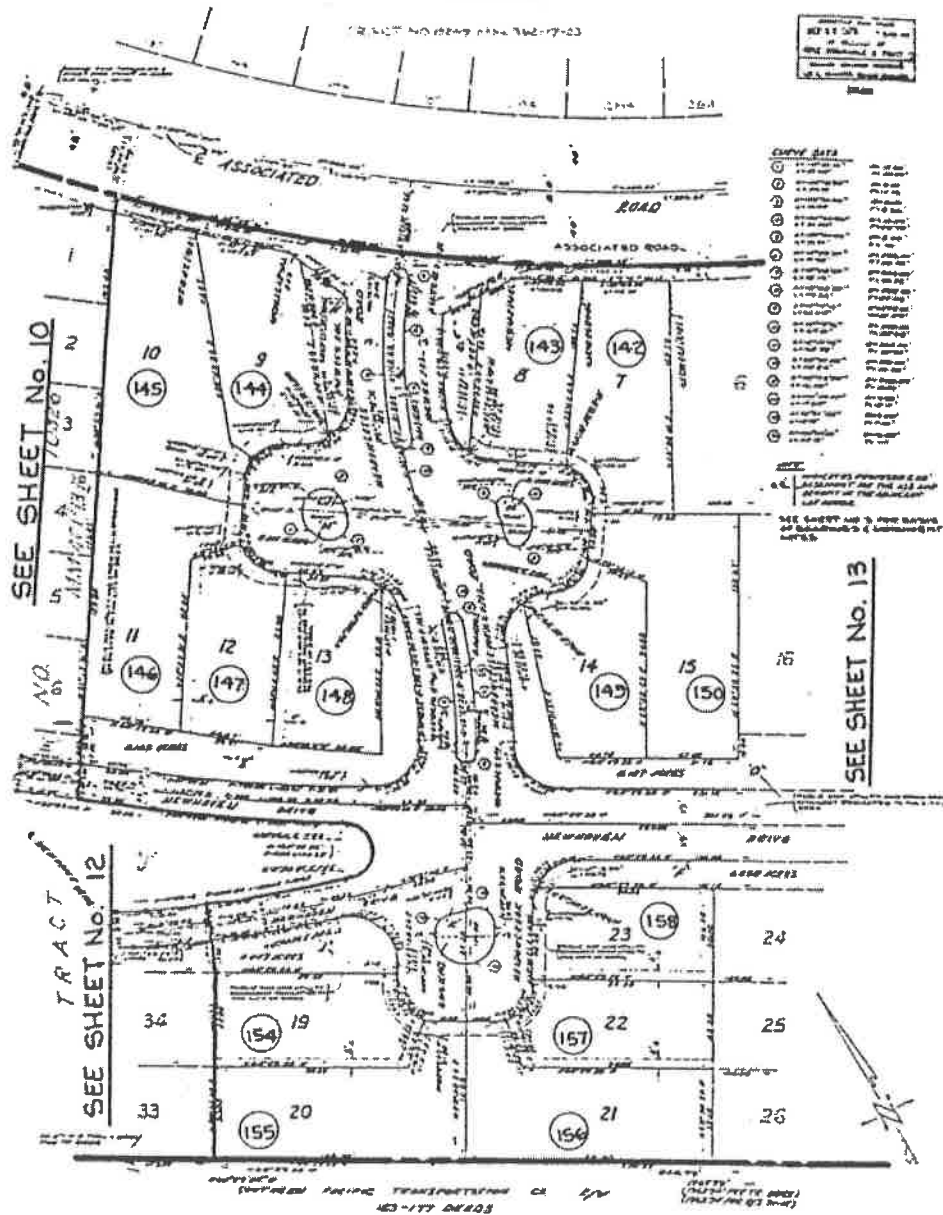




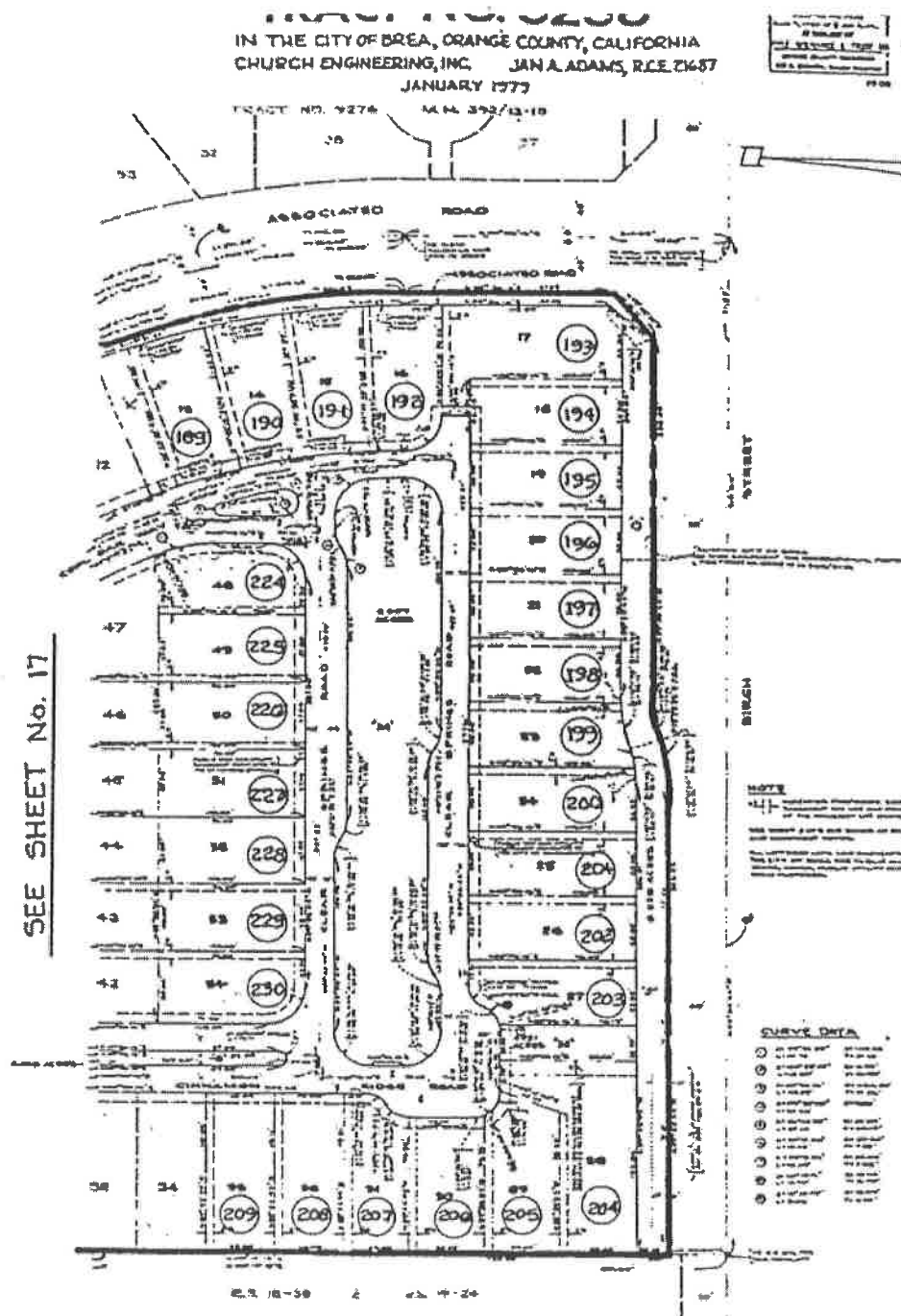
**ASSESSMENT DIAGRAM**  
**CITY OF BREA STREET LIGHTING ASSESSMENT**  
**DISTRICT No. 4**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 13 OF 17

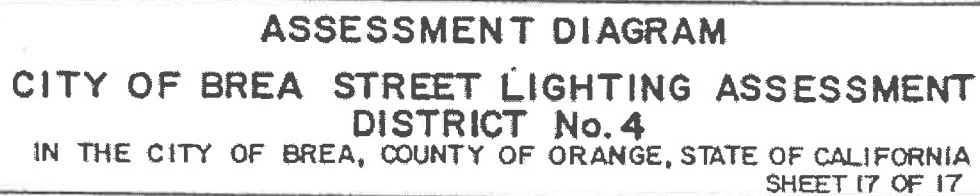


IN THE CITY OF DECA, ORANGE COUNTY, CALIFORNIA  
CHURCH CHRISTIANITY, INC. JAN A. ADAMS, R.C. 21681 33544  
DECEMBER, 1970



IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA  
SHEET 15 OF 17





**Landscape and Lighting  
Maintenance District  
No. 5**

**City of Brea**

**Prepared under the authority of the  
Landscape and Lighting Act of 1972  
Streets and Highways Code  
State of California**

**Fiscal Year 2018-19**

**Submitted by:**

**Tony Olmos  
Director of Public Works**

**April 17, 2018**

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## City of Brea

May 1, 2018

Honorable Mayor and City Council  
City of Brea  
1 Civic Center Circle  
Brea, CA 92821-5732

**Re: Engineer's Report, Landscape & Lighting Maintenance District No. 5**

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 5, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631). Because we are proposing to increase assessments to cover increased costs, we will be mailing out notices and assessment ballots to all affected property owners, in conformance with Proposition 218.

Respectfully submitted,

Tony Olmos, P.E., Director  
Public Works Department

**City Council**

**Glenn Parker**  
*Mayor*

**Christine Marick**  
*Mayor Pro Tem*

**Cecilia Hupp**  
*Council Member*

**Marty Simonoff**  
*Council Member*

**Steven Vargas**  
*Council Member*



## Introduction and Background

### Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code, Article XIIIID of the California Constitution, and the Proposition 218 Omnibus Implementation Act.

### Background:

On June 1, 1982 the City Council of the City of Brea adopted and approved Resolution No. 82-57 creating Landscape and Lighting Maintenance District No. 5 in the City of Brea.

The creating of Landscape and Lighting Maintenance District No. 5 in the City of Brea was a requirement of the City of Brea for the development of Tentative Tract No. 8820, known as "Canyon Country," and Tentative Tract No. 9414, known as "Canyondale."

In FY 2003-04, the property owners submitted ballots and approved an increase in assessment rate. Included in that balloting was an annual CPI escalator that will allow the assessment rate to keep up with the cost of living. The annual escalator sets the maximum rate that the properties might be assessed.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

## **PART A PLANS AND SPECIFICATIONS**

The facilities, which consist of slopes, greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

### **Landscaping and Appurtenant Facilities**

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

### **Lighting, Traffic Signals and Appurtenant Facilities**

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

## PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2018-19, as described in Part A, are summarized herein and described below.

### MAINTENANCE DISTRICT # 5 - ANNUAL COST FACTORS

Acct #	Description	FY 18-19 Est.
<b>1. Fixed Costs</b>		<b>Expenses</b>
4111	Salaries & Benefits	\$14,756
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$140
	<b>Fixed Costs Totals</b>	<b>\$14,996</b>
<b>2. ROUTINE COSTS</b>		
4211	Postage	\$55
4249	Professional Svs/Other	\$50,000
4261	Svc & Repair Equipment	\$1,000
4266	Contract Services/Grounds Maintenance	\$28,530
4269	Bldg & Equip Svs-Other	\$1,000
4282	Electric	\$1,500
4285	Water	\$28,325
4337	Electrical Supplies & Parts	\$1,500
4339	Construction & Maintenance	\$1,000
4441	Miscellaneous Expense	\$300
5800	Insurance and Other Expenses	\$1,346
	<b>Routine Costs Totals</b>	<b>\$114,556</b>
	<b>Total Costs (Fixed &amp; Routine)</b>	<b>\$129,552</b>
	<b>Contribution to Capital Replacement Reserve</b>	<b>\$0</b>
	<b>FY 2018-19 Annual Assessments</b>	<b>\$94,478</b>
	<b>Reserve Fund Requirement:</b>	
	Operating Reserve – 50% (6 months)*	\$0
	<b>Capital Replacement Reserve**</b>	
	Estimated Balance 1-July-2018	\$61,723
	Contribution to Capital Replacement Reserve	\$0
	Less planned capital expenditures	\$0
	Estimated Fund Balance 30-Jun-2018	\$26,649

\*The Operating Reserve fund is being established for the District to cover the first six months of expenses annually before collection from the County has been received, as well as unexpected expenses. The funds will not exceed 50% of the anticipated annual expenditures, in anticipation of any maintenance costs that can and do occur during the year.

\*\*The Capital Replacement Reserve fund is established to fund the replacement or refurbishment of components based on life expectancy and value of the improvements within the district. Based on the current fund balance, there are insufficient funds to cover the replacement expenses of the existing improvements.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

## PART C METHOD OF APPORTIONMENT OF ASSESSMENT

### GENERAL

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

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"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 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

In addition, Proposition 218, the "Right to Vote on Taxes Act" which was approved on the November 1996 Statewide ballot and added Article XIID to the California Constitution, requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. XIID provides that only special benefits are assessable and the City must separate the general benefits from the special benefits. XIID also requires that publicly owned property which benefit from the improvements be assessed.

### SPECIAL BENEFIT ANALYSIS

**Street Landscaping, Slopes and Greenbelts.** Trees, landscaping, hardscaping and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property 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 along side the roadway.

The ongoing operation and maintenance of the street landscaping, slopes and greenways within the district, as identified in Part A of this Report, provide beautification to the areas that result in a special benefit to the parcels within the tracts adjacent to the improvements. If these landscaped areas were not properly maintained, the tract would be blighted.

**Theme Lighting.** Proper maintenance and operation of pedestrian and street lights benefit all properties within the District by providing security, safety and community character and vitality as outlined below. Streetlights provide only incidental benefits to motorists traveling to, from or through the area.

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#### BENEFITS OF STREET LIGHTING

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##### Security and Safety

- Mitigates crime
- Alleviates the fear of crime
- Enhances safe ingress/egress to property

##### Community Character and Vitality

- Promotes social interaction
  - Contributes to a positive nighttime visual image
- 

#### ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$94,478 / 113 \text{ SFR's} = \$836.09 / \text{SFR}$$

**This assessment rate is not considered a maximum rate.** This maximum assessment rate will be increased each year by the annual change in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. The calculation for the maximum assessment rate is provided in the table below. The increase in CPI for FY 2018-19 is 2.8%.

Maximum Assessment Rate Calculation		
Fiscal Year	CPI Increase	Maximum Assessment
FY 2003-04		\$679.00 / SFR
FY 2004-05	1.8%	\$691.22 / SFR
FY 2005-06	4.4%	\$721.64 / SFR
FY 2006-07	4.5%	\$754.11 / SFR
FY 2007-08	4.3%	\$786.54 / SFR
FY 2008-09	3.3%	\$812.50 / SFR
FY 2009-10	3.5%	\$840.94 / SFR
FY 2010-11	0%	\$840.94 / SFR
FY 2011-12	1.2%	\$851.03 / SFR
FY 2012-13	2.7%	\$874.00 / SFR
FY 2013-14	2%	\$891.48 / SFR
FY 2014-15	1.1%	\$901.28 / SFR
FY 2015-16	.7%	\$907.59 / SFR
FY 2016-17	2%	\$925.74 / SFR
FY 2017-18	1.9%	\$943.33 / SFR
FY 2018-19	2.8%	\$969.74 / SFR

## PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2018-19 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt	AD #	APN	Lot	Tract	Asmt
1	30604102	1	9111	\$786.54	41	30604210	27	9473	\$786.54	81	30605318	18	9414	\$786.54
2	30604103	2	9111	\$786.54	42	30604209	28	9473	\$786.54	82	30605319	19	9414	\$786.54
3	30604104	3	9111	\$786.54	43	30604208	29	9473	\$786.54	83	30605320	20	9414	\$786.54
4	30604105	4	9111	\$786.54	44	30604207	30	9473	\$786.54	84	30605321	21	9414	\$786.54
5	30604106	5	9111	\$786.54	45	30604206	31	9473	\$786.54	85	30605322	22	9414	\$786.54
6	30604107	6	9111	\$786.54	46	30604205	32	9473	\$786.54	86	30605323	23	9414	\$786.54
7	30604108	7	9111	\$786.54	47	30604204	33	9473	\$786.54	87	30605324	24	9414	\$786.54
8	30604109	8	9111	\$786.54	48	30604203	34	9473	\$786.54	88	30605325	25	9414	\$786.54
9	30604110	9	9111	\$786.54	49	30604202	35	9473	\$786.54	89	30605326	26	9414	\$786.54
10	30604111	10	9111	\$786.54	50	30604201	36	9473	\$786.54	90	30605327	27	9414	\$786.54
11	30604112	11	9111	\$786.54	51	30604301	37	9473	\$786.54	91	30605328	28	9414	\$786.54
12	30604113	12	9111	\$786.54	52	30604302	38	9473	\$786.54	92	30605329	29	9414	\$786.54
13	30604114	13	9111	\$786.54	53	30604303	39	9473	\$786.54	93	30605330	30	9414	\$786.54
14	30604115	14	9111	\$786.54	54	30604304	40	9473	\$786.54	94	30605331	31	9414	\$786.54
15	30604502	1	9473	\$786.54	55	30604305	41	9473	\$786.54	95	30605103	32	9414	\$786.54
16	30604501	2	9473	\$786.54	56	30604306	42	9473	\$786.54	96	30605102	33	9414	\$786.54
17	30604415	3	9473	\$786.54	57	30604307	43	9473	\$786.54	97	30605101	34	9414	\$786.54
18	30604414	4	9473	\$786.54	58	30604308	44	9473	\$786.54	98	30605201	35	9414	\$786.54
19	30604413	5	9473	\$786.54	59	30604309	45	9473	\$786.54	99	30605202	36	9414	\$786.54
20	30604412	6	9473	\$786.54	60	30604310	46	9473	\$786.54	100	30605203	37	9414	\$786.54
21	30604411	7	9473	\$786.54	61	30604311	47	9473	\$786.54	101	30605204	38	9414	\$786.54
22	30604410	8	9473	\$786.54	62	30604312	48	9473	\$786.54	102	30605205	39	9414	\$786.54
23	30604409	9	9473	\$786.54	63	30604313	49	9473	\$786.54	103	30605206	40	9414	\$786.54
24	30604408	10	9473	\$786.54	64	30605301	1	9414	\$786.54	104	30605207	41	9414	\$786.54
25	30604407	11	9473	\$786.54	65	30605302	2	9414	\$786.54	105	30605208	42	9414	\$786.54
26	30604406	12	9473	\$786.54	66	30605303	3	9414	\$786.54	106	30605209	43	9414	\$786.54
27	30604405	13	9473	\$786.54	67	30605304	4	9414	\$786.54	107	30605210	44	9414	\$786.54
28	30604404	14	9473	\$786.54	68	30605305	5	9414	\$786.54	108	30605211	45	9414	\$786.54
29	30604403	15	9473	\$786.54	69	30605306	6	9414	\$786.54	109	30605212	46	9414	\$786.54
30	30604402	16	9473	\$786.54	70	30605307	7	9414	\$786.54	110	30605213	47	9414	\$786.54
31	30604401	17	9473	\$786.54	71	30605308	8	9414	\$786.54	111	30605214	48	9414	\$786.54
32	30604219	18	9473	\$786.54	72	30605309	9	9414	\$786.54	112	30605215	49	9414	\$786.54
33	30604218	19	9473	\$786.54	73	30605310	10	9414	\$786.54	113	30605216	50	9414	\$786.54
34	30604217	20	9473	\$786.54	74	30605311	11	9414	\$786.54					
35	30604216	21	9473	\$786.54	75	30605312	12	9414	\$786.54					
36	30604215	22	9473	\$786.54	76	30605313	13	9414	\$786.54					
37	30604214	23	9473	\$786.54	77	30605314	14	9414	\$786.54					
38	30604213	24	9473	\$786.54	78	30605315	15	9414	\$786.54					
39	30604212	25	9473	\$786.54	79	30605316	16	9414	\$786.54					
40	30604211	26	9473	\$786.54	80	30605317	17	9414	\$786.54					



## **PART E**

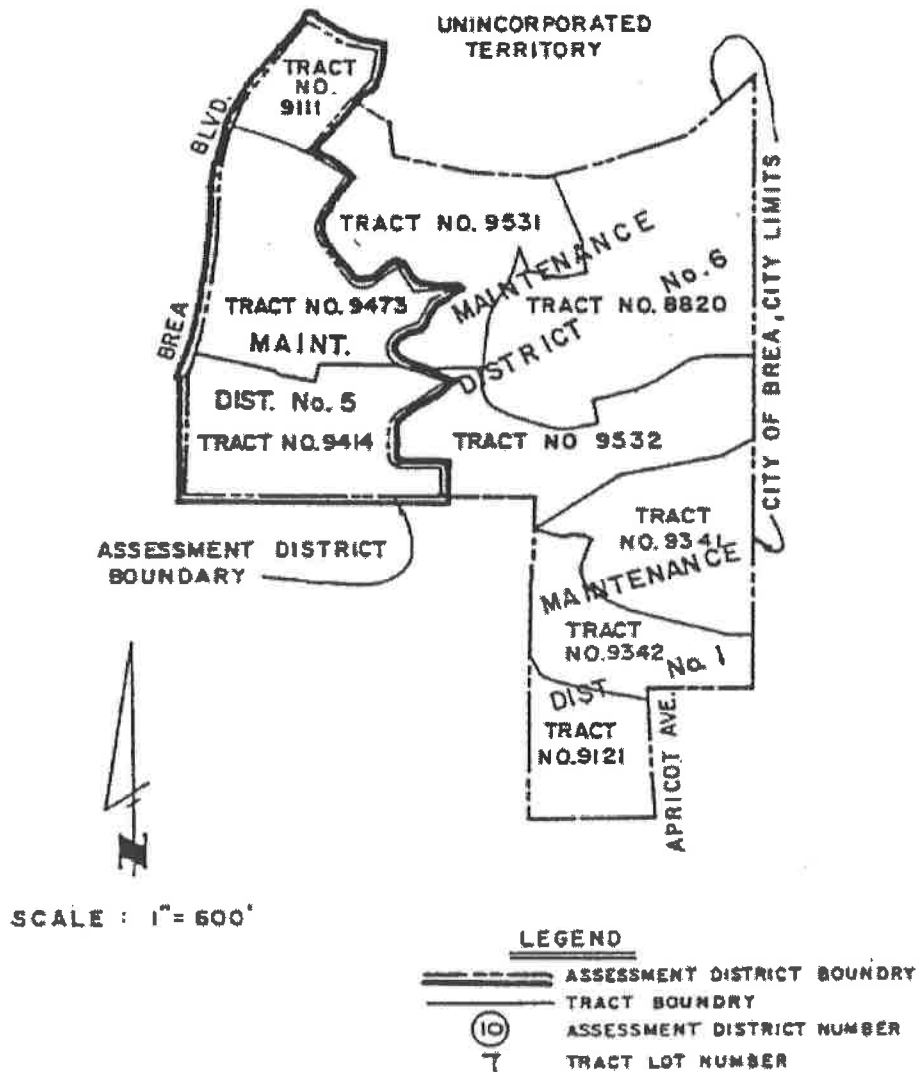
### **ASSESSMENT DISTRICTS' BOUNDARIES**

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 5 is included herein.

District No. 5 is generally located east of Brea Boulevard and north of State College Boulevard, and includes Tract Nos. 9111, 9414 and 9473.

District No. 5 includes all properties in the City of Brea located within the tract boundary of Tract No. 9111 recorded in Book 374, Pages 24, 25 and 26 of Tract No. 9414 recorded in Book 409, Pages 8 and 9, and of Tract No. 9473 recorded in Book 291, Pages 26, 27 and 28 all of Miscellaneous Maps, records of Orange County, California.

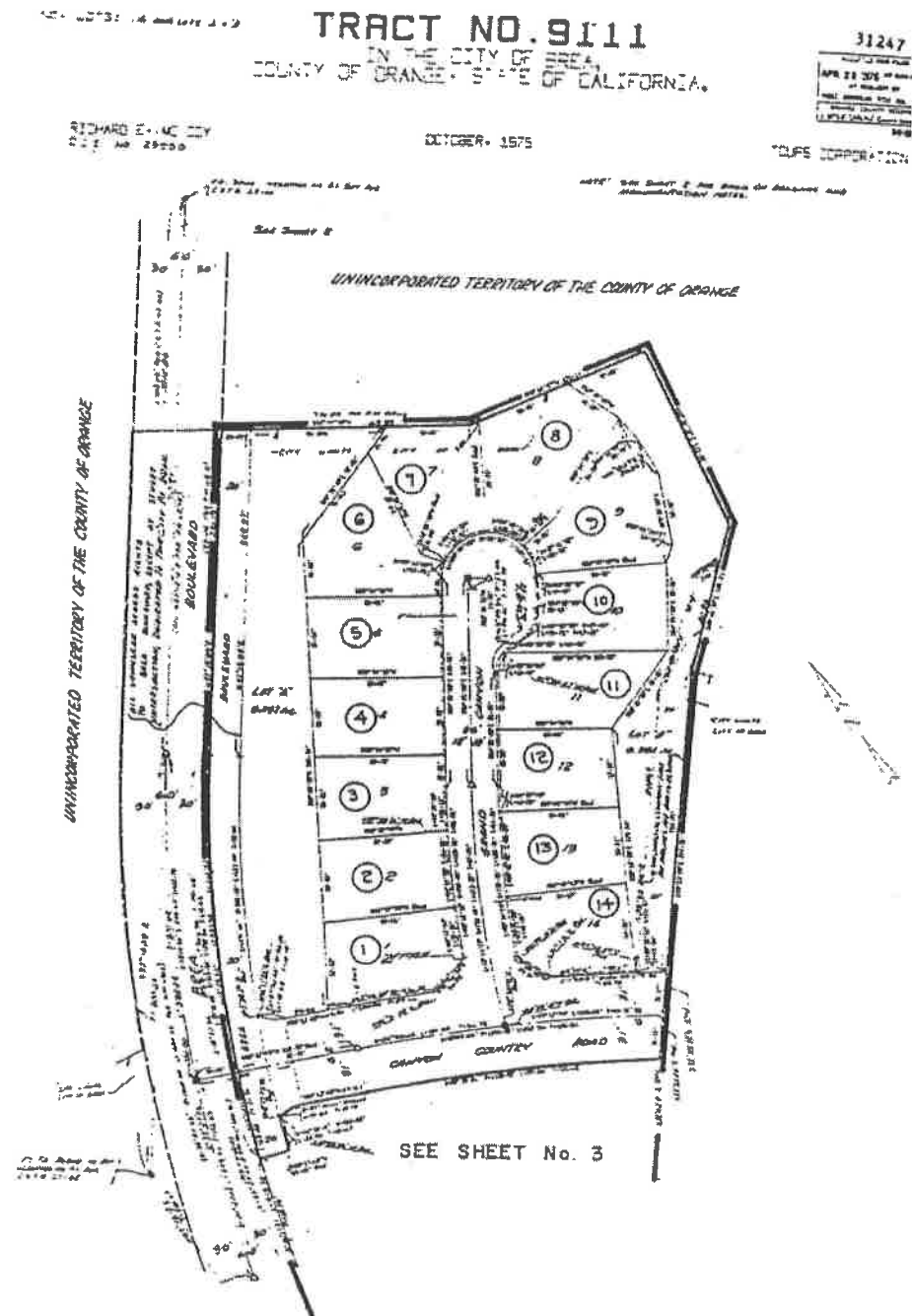
Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2018-19. The Assessor's maps and records are incorporated by reference herein and made part of this report.



113 PARCELS

SHEET 1 OF

ASSESSMENT DIAGRAM  
**LIGHTING & MAINTENANCE  
ASSESSMENT DISTRICT NO. 5**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA



113 PARCELS

SHEET 2 OF 4

ASSESSMENT DIAGRAM  
LIGHTING & MAINTENANCE  
ASSESSMENT DISTRICT NO. 5  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

FOREMAN: J. G. G. AC  
NO. 1075: 400 AND LOT 12

**TRACT NO 9473**  
IN THE CITY OF BREA,  
COUNTY OF ORANGE, STATE OF CALIFORNIA

345  
SEC 1778  
1000 1000 1000 1000

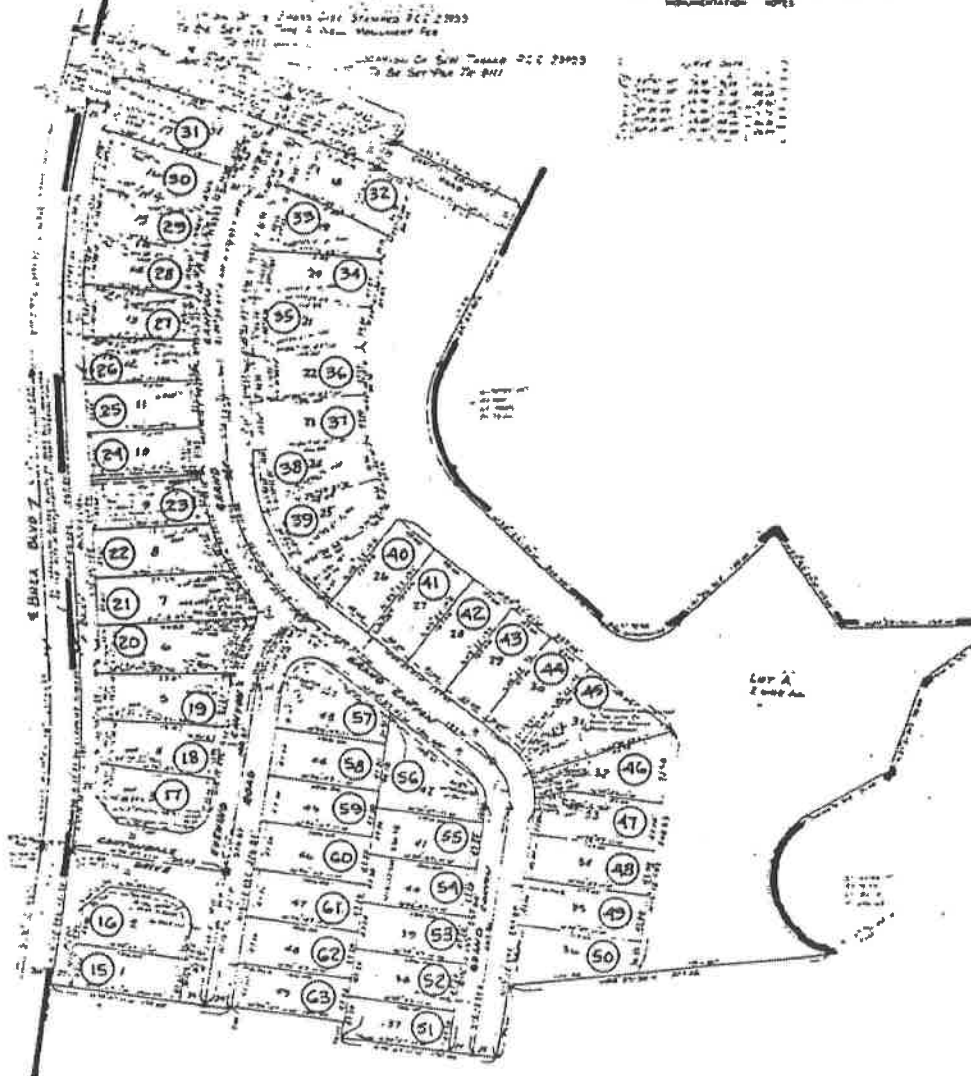
RODARD E. MCCOY  
R.C.E. No. 20000

JULY, 1976

DUCA AND MCCOY

SEE SHEET No. 2

NOTE: SEE SHEET 3 FOR DATES OF REASSESSMENT AND  
REASSESSMENT RATES



SEE SHEET No. 4

113 PARCELS

SHEET 3 OF 4

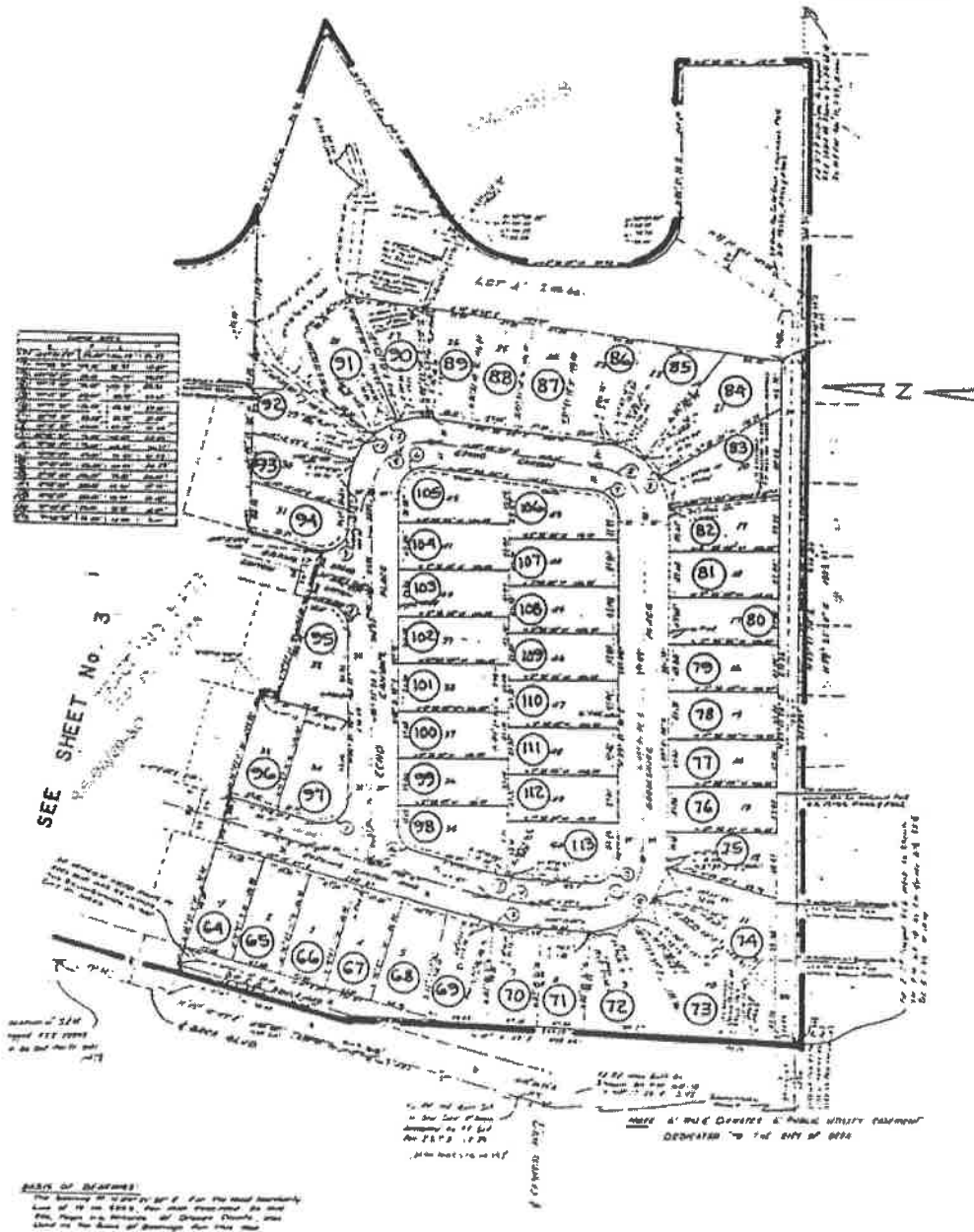
ASSESSMENT DIAGRAM  
**LIGHTING & MAINTENANCE**  
**ASSESSMENT DISTRICT NO. 5**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

IN THE CITY OF BREA,  
COUNTY OF ORANGE, STATE OF CALIFORNIA

RICHARD E. MCELROY  
R.E.E. 19953

December 1976

**DECA AND SUCCOV**  
**CHINA, HONGKONG & SINGAPORE**



### 113 PARCELS

SHEET 4 OF 4

ASSESSMENT DISTRICT NO. 5  
LIGHTING & MAINTENANCE  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA

**Landscape and Lighting  
Maintenance District  
No. 6**

**City of Brea**

**Prepared under the authority of the  
Landscape and Lighting Act of 1972  
Streets and Highways Code  
State of California**

**Fiscal Year 2018-19**

**Submitted by:**

**Tony Olmos  
Director of Public Works**

**April 17, 2018**

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## City of Brea

May 1, 2018

Honorable Mayor and City Council  
City of Brea  
1 Civic Center Circle  
Brea, CA 92821-5732

**Re: Engineer's Report, Landscape & Lighting Maintenance District No. 6**

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 6, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Tony Olmos, P.E., Director  
Public Works Department

**City Council**

**Glenn Parker**  
*Mayor*

**Christine Marick**  
*Mayor Pro Tem*

**Cecilia Hupp**  
*Council Member*

**Marty Simonoff**  
*Council Member*

**Steven Vargas**  
*Council Member*



## Introduction and Background

### Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

### Background:

On June 1, 1982 the City Council of the City of Brea adopted and approved Resolution No. 83-58 creating Landscape and Lighting Maintenance District No. 6 in the City of Brea.

The creating of Landscape and Lighting Maintenance District No. 6 in the City of Brea was a requirement of the City of Brea for the development of Tentative Tract No. 8820, known as the "Canyon Country" development project.

In FY 2005-06, the property owners submitted ballots and approved an increase in assessment rate. Included in that balloting was an annual CPI escalator that will allow the assessment rate to keep up with the cost of living. The annual escalator sets the maximum rate that the properties might be assessed.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

## **PART A PLANS AND SPECIFICATIONS**

The facilities, which consist of slopes, greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

### Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

### Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

## PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2018-19, as described in Part A, are summarized herein and described below.

### MAINTENANCE DISTRICT # 6 - ANNUAL COST FACTORS

Acct #	Description	FY 18-19 Est.
<b>1. Fixed Costs</b>		<b>Expenses</b>
4111	Salaries & Benefits	\$12,538
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$440
	<b>Fixed Costs Totals</b>	<b>\$13,078</b>
<b>2. ROUTINE COSTS</b>		
4211	Postage	\$135
4249	Professional Svs/Other	\$20,000
4261	Svc & Repair Equipment	\$5,000
4266	Contract Services/Grounds Maintenance	\$77,200
4269	Bldg & Equip Svs-Other	\$2,000
4282	Electric	\$4,500
4285	Water	\$78,000
4335	Plumbing Supplies & Parts	\$0
4337	Electrical Supplies & Parts	\$250
4339	Construction & Maintenance	\$1,000
4441	Miscellaneous Expense	\$250
5800	Insurance and Other Expenses	\$1,182
	<b>Routine Costs Totals</b>	<b>\$189,517</b>
	<b>Total Costs (Fixed &amp; Routine)</b>	<b>\$202,595</b>
	<b>Contribution to Capital Replacement Reserve</b>	<b>\$0</b>
	<b>FY 2018-19 Annual Assessments</b>	<b>\$182,250</b>
	<b>Reserve Fund Requirement:</b>	
	Operating Reserve – 50% (6 months)*	\$0
	<b>Capital Replacement Reserve**</b>	
	Estimated Balance 1-July-2018	\$66,257
	Contribution to Capital Replacement Reserve	\$0
	Less planned capital expenditures	\$0
	Estimated Fund Balance 30-Jun-2019	\$45,912

\*The Operating Reserve fund is being established for the District to cover the first six months of expenses annually before collection from the County has been received, as well as unexpected expenses. The funds will not exceed 50% of the anticipated annual expenditures, in anticipation of any maintenance costs that can and do occur during the year.

\*\*The Capital Replacement Reserve fund is established to fund the replacement or refurbishment of components based on life expectancy and value of the improvements within the district. Based on the current fund balance, there are insufficient funds to cover the replacement expenses of the existing improvements.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.

## PART C METHOD OF APPORTIONMENT OF ASSESSMENT

### GENERAL

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

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"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 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

### ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\text{\$182,250} / 135 \text{ SFR's} = \text{\$1,350.00} / \text{SFR}$$

**This assessment rate is not the maximum rate.** The maximum assessment rate will be increased each year by the annual change in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. The calculation for the maximum assessment rate is provided in the table below. The increase in CPI for FY 2018-19 is 2.8%.

Maximum Assessment Rate Calculation		
Fiscal Year	CPI Increase	Maximum Assessment
FY 2005-06		\$1350.00 / SFR
FY 2006-07	4.5%	\$1411.00 / SFR
FY 2007-08	4.3%	\$1472.00 / SFR
FY 2008-09	3.3%	\$1521.00 / SFR
FY 2009-10	3.5%	\$1574.24 / SFR
FY 2010-11	0%	\$1574.24 / SFR
FY 2011-12	1.2%	\$1593.13 / SFR
FY 2012-13	2.7%	\$1636.14 / SFR
FY 2013-14	2%	\$1668.86 / SFR
FY 2014-15	1.1%	\$1676.22 / SFR
FY 2015-16	.7%	\$1687.95 / SFR
FY 2016-17	2%	\$1721.71 / SFR
FY 2017-18	1.9%	\$1754.42 / SFR
FY 2018-19	2.8%	\$1803.54 / SFR

## PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2018-19 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD #	APN	Lot	Tract	Annual Asmt	AD #	APN	Lot	Tract	Annual Asmt
1	30606101	1	9531	\$1,350.00	39	30606232	39	9531	\$1,350.00
2	30606102	2	9531	\$1,350.00	40	30606231	40	9531	\$1,350.00
3	30606103	3	9531	\$1,350.00	41	30606230	41	9532	\$1,350.00
4	30606104	4	9531	\$1,350.00	42	30606229	42	9532	\$1,350.00
5	30606105	5	9531	\$1,350.00	43	30608102	43	9532	\$1,350.00
6	30606106	6	9531	\$1,350.00	44	30608103	44	9532	\$1,350.00
7	30606107	7	9531	\$1,350.00	45	30608104	45	9532	\$1,350.00
8	30606201	8	9531	\$1,350.00	46	30608105	46	9532	\$1,350.00
9	30606202	9	9531	\$1,350.00	47	30608106	47	9532	\$1,350.00
10	30606203	10	9531	\$1,350.00	48	30608107	48	9532	\$1,350.00
11	30606205	11	9531	\$1,350.00	49	30608108	49	9532	\$1,350.00
12	30606206	12	9531	\$1,350.00	50	30608110	50	9532	\$1,350.00
13	30606207	13	9531	\$1,350.00	51	30608111	51	9532	\$1,350.00
14	30606208	14	9531	\$1,350.00	52	30608112	52	9532	\$1,350.00
15	30606209	15	9531	\$1,350.00	53	30608113	53	9532	\$1,350.00
16	30606211	16	9531	\$1,350.00	54	30608114	54	9532	\$1,350.00
17	30606213	17	9531	\$1,350.00	55	30608115	55	9532	\$1,350.00
18	30606214	18	9531	\$1,350.00	56	30608116	56	9532	\$1,350.00
19	30606215	19	9531	\$1,350.00	57	30608117	57	9532	\$1,350.00
20	30603236	20	9531	\$1,350.00	58	30608118	58	9532	\$1,350.00
21	30606235	21	9531	\$1,350.00	59	30608129	59	9532	\$1,350.00
22	30606218	22	9531	\$1,350.00	60	30608128	60	9532	\$1,350.00
23	30603220	23	9531	\$1,350.00	61	30608121	61	9532	\$1,350.00
24	30603221	24	9531	\$1,350.00	62	30608122	62	9532	\$1,350.00
25	30603222	25	9531	\$1,350.00	63	30608221	63	9532	\$1,350.00
26	30603223	26	9531	\$1,350.00	64	30608220	64	9532	\$1,350.00
27	30603224	27	9531	\$1,350.00	65	30608219	65	9532	\$1,350.00
28	30606307	28	9531	\$1,350.00	66	30608218	66	9532	\$1,350.00
29	30606308	29	9531	\$1,350.00	67	30608217	67	9532	\$1,350.00
30	30606303	30	9531	\$1,350.00	68	30608216	68	9532	\$1,350.00
31	30606304	31	9531	\$1,350.00	69	30608215	69	9532	\$1,350.00
32	30606305	32	9531	\$1,350.00	70	30608214	70	9532	\$1,350.00
33	30606306	33	9531	\$1,350.00	71	30608213	71	9532	\$1,350.00
34	30603225	34	9531	\$1,350.00	72	30608212	72	9532	\$1,350.00
35	30606226	35	9531	\$1,350.00	73	30608211	73	9532	\$1,350.00
36	30606227	36	9531	\$1,350.00	74	30608210	74	9532	\$1,350.00
37	30606234	37	9531	\$1,350.00	75	30608209	75	9532	\$1,350.00
38	30606233	38	9531	\$1,350.00	76	30608208	76	9532	\$1,350.00

AD #	APN	Lot	Tract	Annual Asmt	AD #	APN	Lot	Tract	Annual Asmt
77	30608227	77	9532	\$1,350.00	107	30607324	107	8820	\$1,350.00
78	30608226	78	9532	\$1,350.00	108	30607204	108	8820	\$1,350.00
79	30608225	79	9532	\$1,350.00	109	30607203	109	8820	\$1,350.00
80	30608224	80	9532	\$1,350.00	110	30607202	110	8820	\$1,350.00
81	30608223	81	9532	\$1,350.00	111	30607201	111	8820	\$1,350.00
82	30608202	82	9532	\$1,350.00	112	30607205	112	8820	\$1,350.00
83	30608201	83	9532	\$1,350.00	113	30607206	113	8820	\$1,350.00
84	30607301	84	8820	\$1,350.00	114	30607207	114	8820	\$1,350.00
85	30607302	85	8820	\$1,350.00	115	30607208	115	8820	\$1,350.00
86	30607332	86	8820	\$1,350.00	116	30607209	116	8820	\$1,350.00
87	30607304	87	8820	\$1,350.00	117	30607210	117	8820	\$1,350.00
88	30607305	88	8820	\$1,350.00	118	30607211	118	8820	\$1,350.00
89	30607306	89	8820	\$1,350.00	119	30607212	119	8820	\$1,350.00
90	30607307	90	8820	\$1,350.00	120	30607213	120	8820	\$1,350.00
91	30607308	91	8820	\$1,350.00	121	30607325	121	8820	\$1,350.00
92	30607309	92	8820	\$1,350.00	122	30607326	122	8820	\$1,350.00
93	30607333	93	8820	\$1,350.00	123	30607327	123	8820	\$1,350.00
94	30607311	94	8820	\$1,350.00	124	30607328	124	8820	\$1,350.00
95	30607312	95	8820	\$1,350.00	125	30607329	125	8820	\$1,350.00
96	30607334	96	8820	\$1,350.00	126	30607330	126	8820	\$1,350.00
97	30607335	97	8820	\$1,350.00	127	30607110	127	8820	\$1,350.00
98	30607336	98	8820	\$1,350.00	128	30607109	128	8820	\$1,350.00
99	30607316	99	8820	\$1,350.00	129	30607108	129	8820	\$1,350.00
100	30607317	100	8820	\$1,350.00	130	30607107	130	8820	\$1,350.00
101	30607318	101	8820	\$1,350.00	131	30607106	131	8820	\$1,350.00
102	30607319	102	8820	\$1,350.00	132	30607105	132	8820	\$1,350.00
103	30607320	103	8820	\$1,350.00	133	30607104	133	8820	\$1,350.00
104	30607321	104	8820	\$1,350.00	134	30607103	134	8820	\$1,350.00
105	30607322	105	8820	\$1,350.00	135	30607102	135	8820	\$1,350.00
106	30607323	106	8820	\$1,350.00					



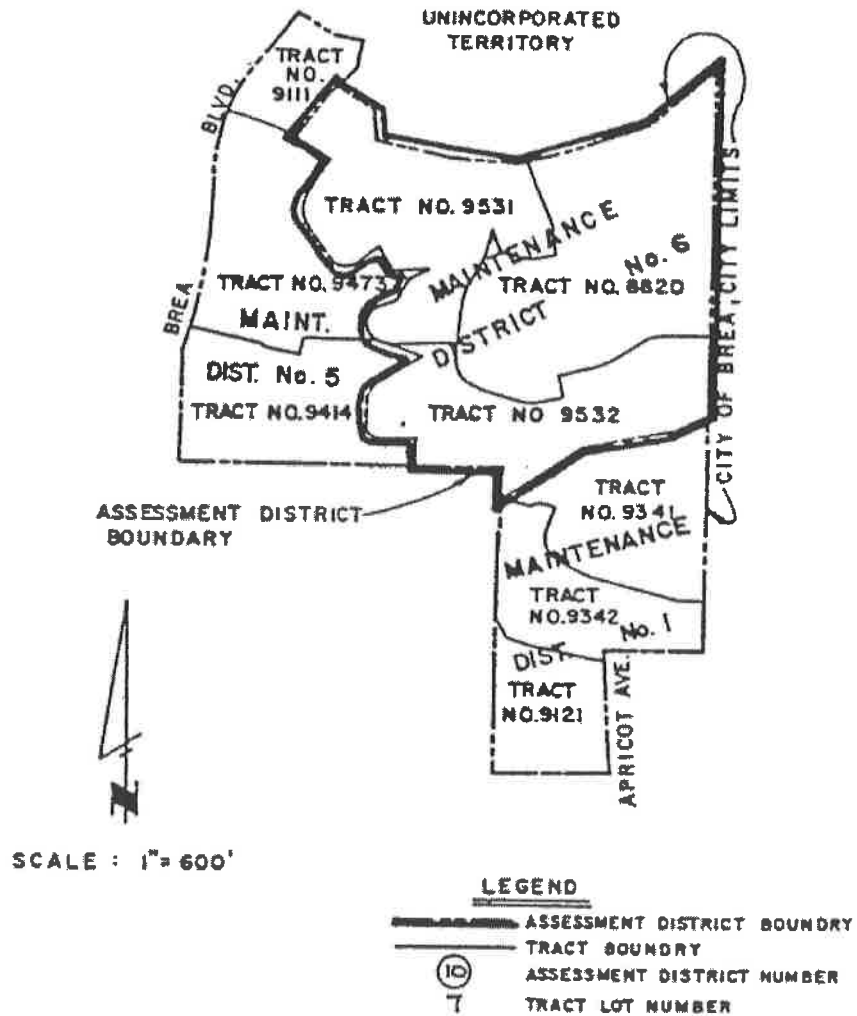
## **PART E**

### **ASSESSMENT DISTRICTS' BOUNDARIES**

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 6 is included herein.

District No. 6 includes all the properties in the City of Brea located within the tract boundary of Tract No. 8820, recorded in Book 454, Pages 19 through 24 inclusive, Tract No. 9531 recorded in Book 423, Pages 24 through 28 inclusive, and Tract No. 9532 recorded in Book 454, Pages 25 through 28, all of Miscellaneous Maps, records of Orange County, California.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2018-19. The Assessor's maps and records are incorporated by reference herein and made part of this report.

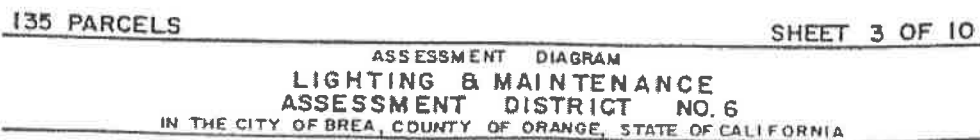


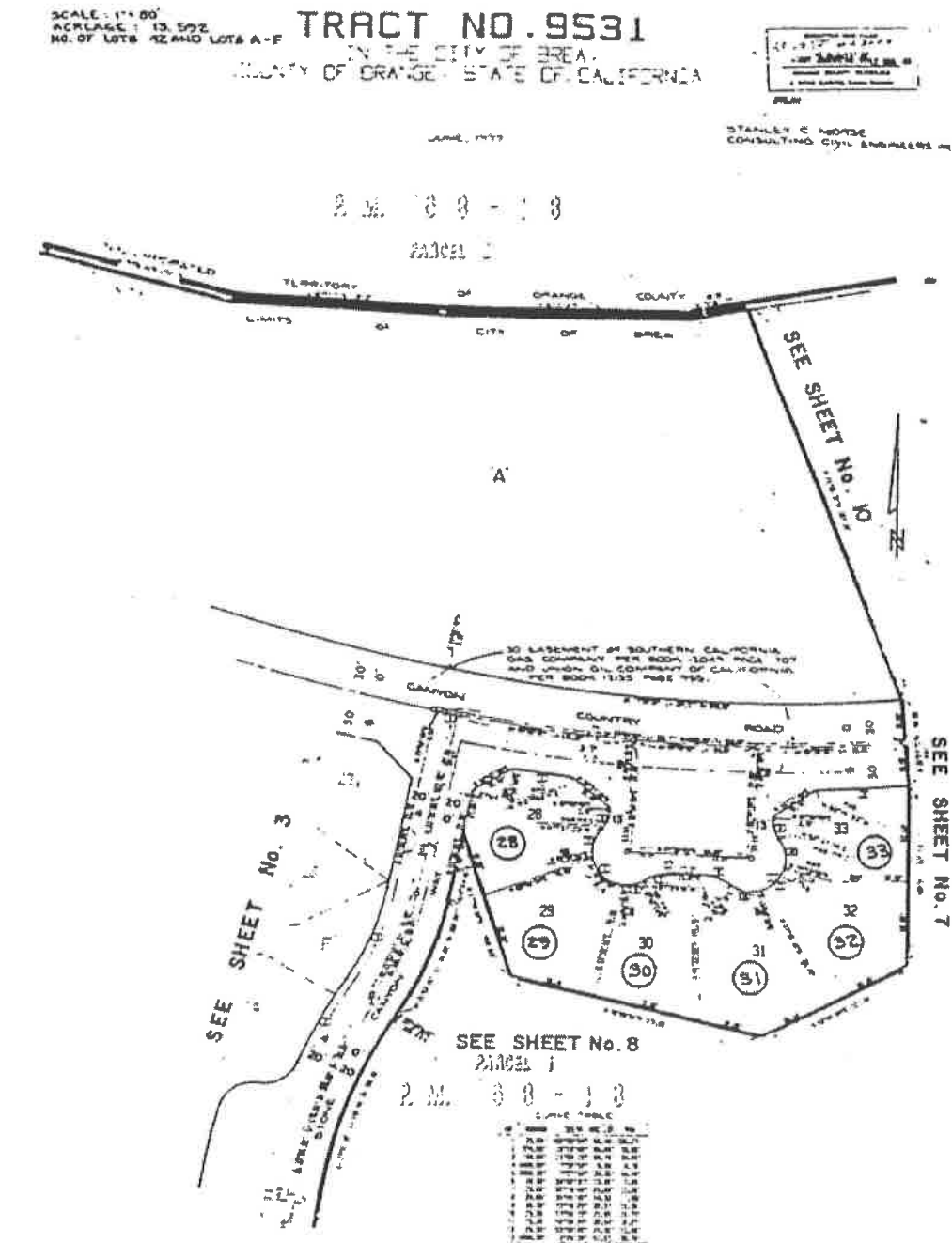
135 PARCELS

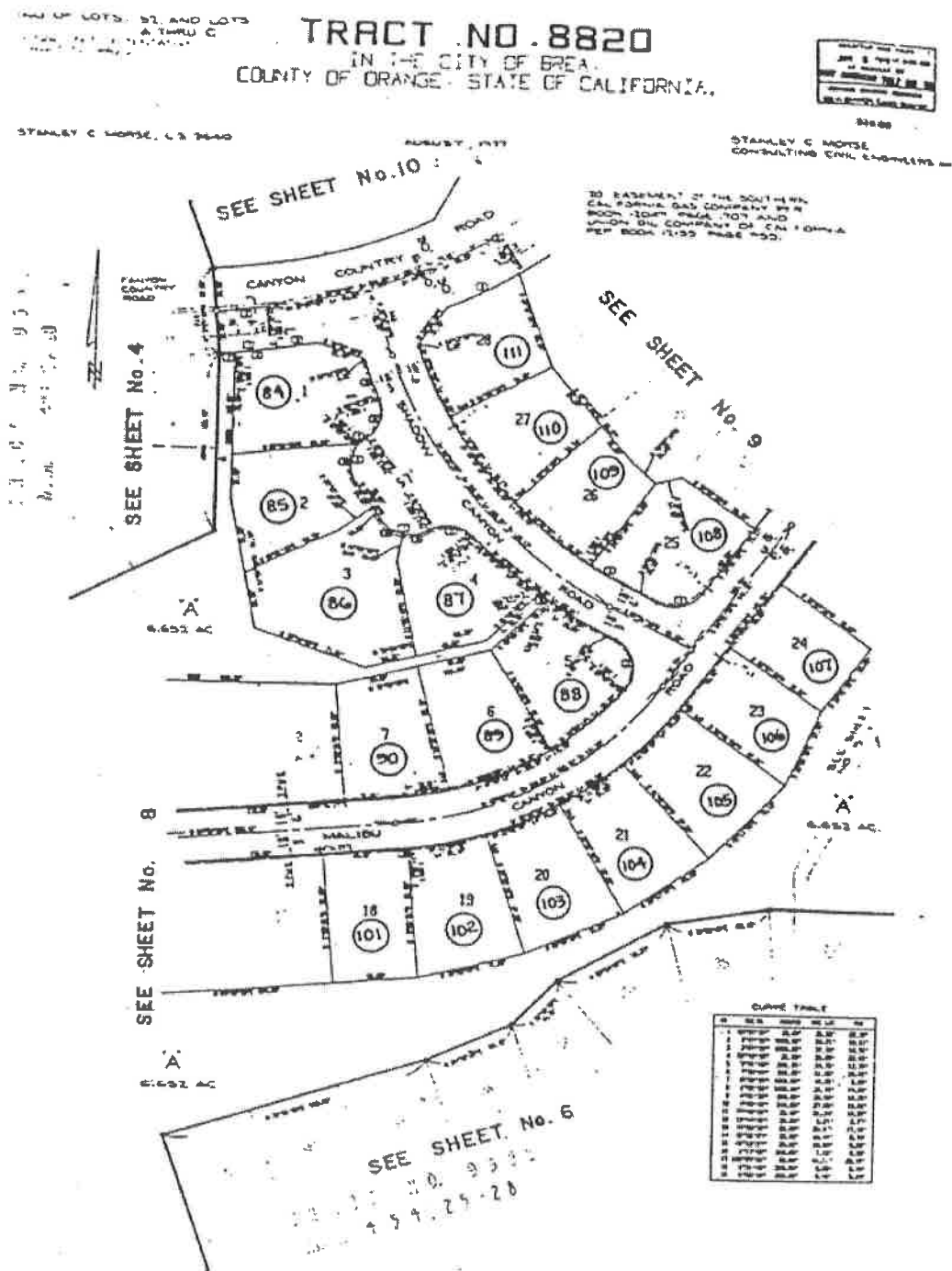
SHEET 1 OF 10

ASSESSMENT DIAGRAM  
**LIGHTING & MAINTENANCE  
ASSESSMENT DISTRICT NO. 6**  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA





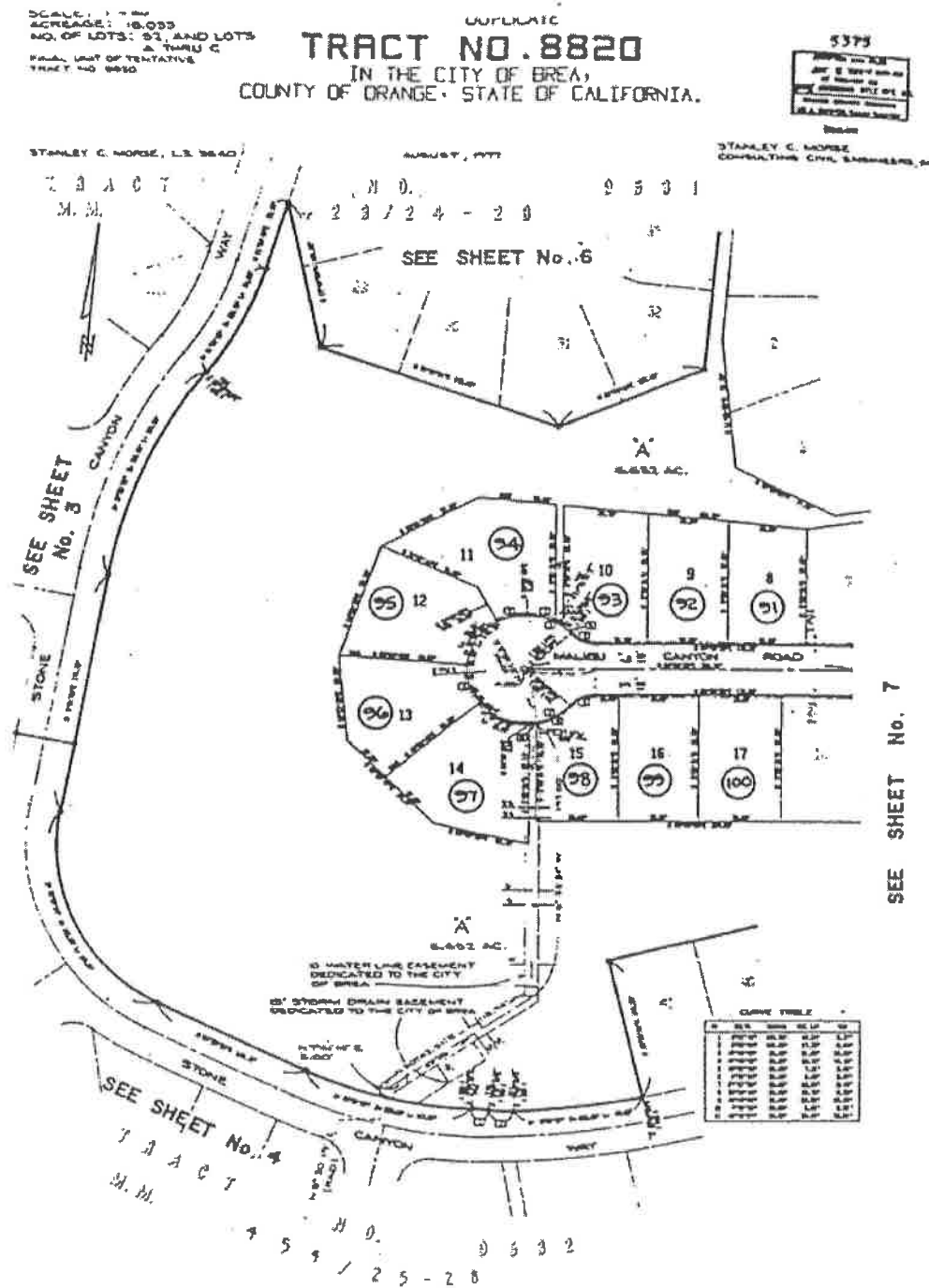




135 PARCELS

SHEET 7 OF 10

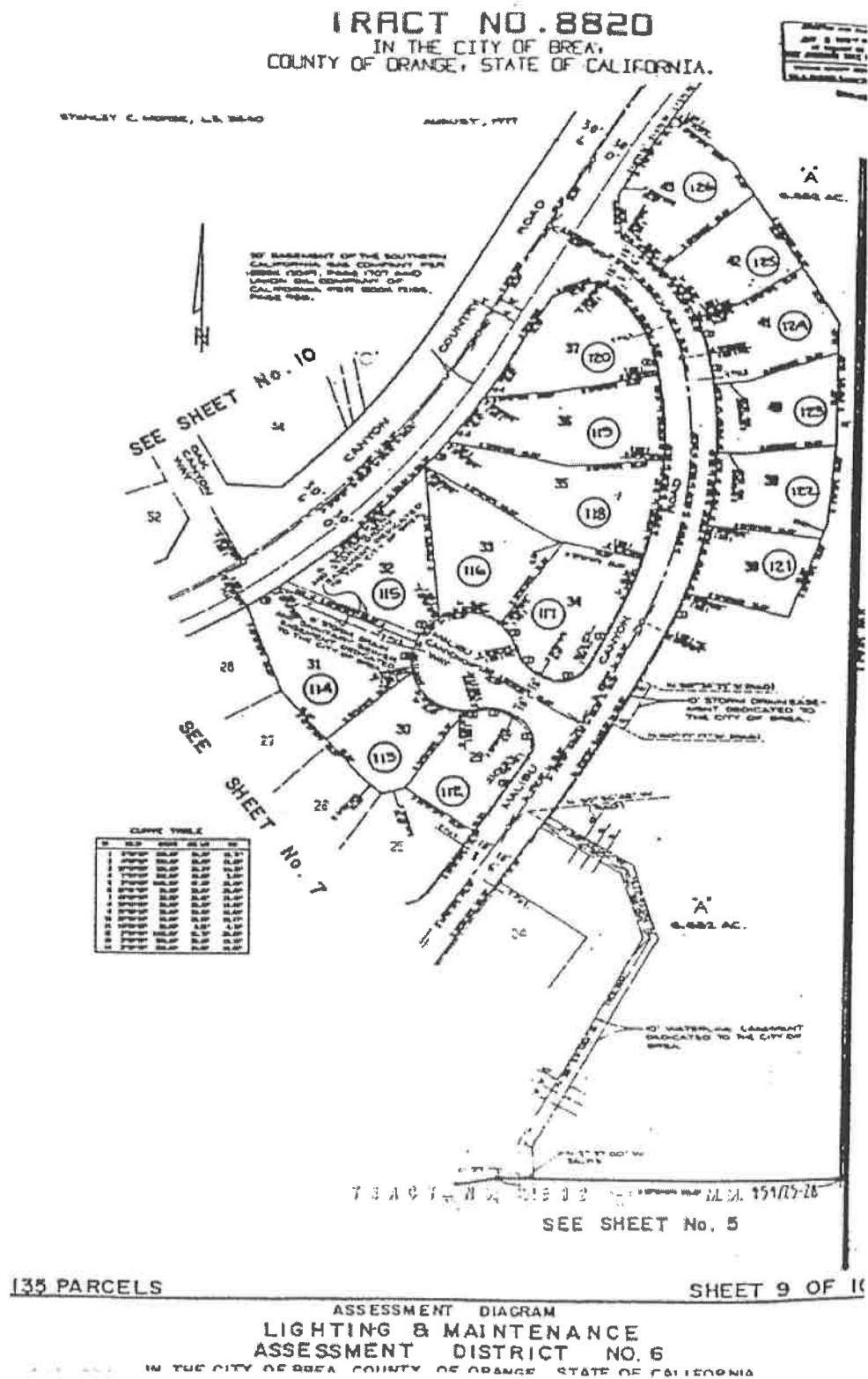
ASSESSMENT DIAGRAM  
LIGHTING & MAINTENANCE  
ASSESSMENT DISTRICT NO. 6  
IN THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA



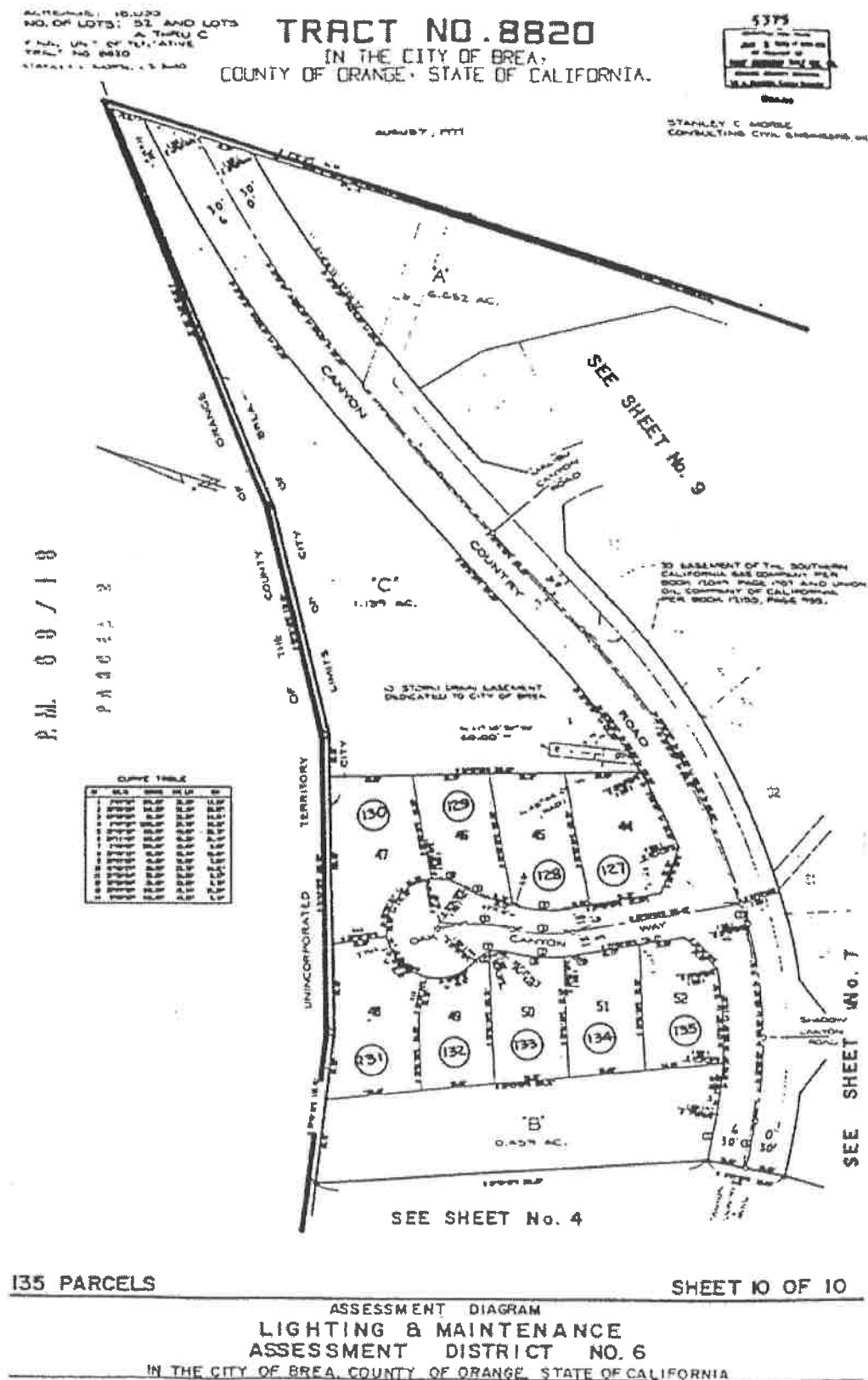
135 PARCELS

SHEET 8 OF 10

ASSESSMENT DIAGRAM  
LIGHTING & MAINTENANCE  
ASSESSMENT DISTRICT NO. 6  
IN THE CITY OF AREA, COUNTY OF ORANGE, STATE OF CALIFORNIA







**Landscape and Lighting  
Maintenance District  
No. 7**

**City of Brea**

**Prepared under the authority of the  
Landscape and Lighting Act of 1972  
Streets and Highways Code  
State of California**

**Fiscal Year 2018-19**

**Submitted by:**

**Tony Olmos  
Director of Public Works**

**April 17, 2018**

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## City of Brea

May 1, 2018

Honorable Mayor and City Council  
City of Brea  
1 Civic Center Circle  
Brea, CA 92821-5732

**Re: Engineer's Report, Landscape & Lighting Maintenance District No. 7**

Transmitted herewith for your review and consideration is a report entitled, "Landscape and Lighting Maintenance District No. 7, City of Brea."

This report has been prepared in accordance with the Landscape and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code. The report includes all the requirements of the Landscape and Lighting Act of 1972 and the Streets and Highways Code, with particular reference to annual assessments after formation thereof of the District.

The report is submitted herewith for consideration at your next meeting to set a hearing date for the purpose of levying an annual assessment (Streets and Highways Code, Section 22620 to Section 22631).

Respectfully submitted,

Tony Olmos, P.E., Director  
Public Works Department

**City Council**

**Glenn Parker**  
*Mayor*

**Christine Marick**  
*Mayor Pro Tem*

**Cecilia Hupp**  
*Council Member*

**Marty Simonoff**  
*Council Member*

**Steven Vargas**  
*Council Member*

## Introduction and Background

### Introduction:

This report has been prepared and is submitted for consideration by the City Council of the City of Brea under the authority of the Landscaping and Lighting Act of 1972 as set forth in Part 2 of Division 15 of the California Streets and Highways Code.

### Background:

On August 1, 1995 the City Council of the City of Brea adopted and approved Resolution No. 95-85 creating Landscape and Lighting Maintenance District No. 7 in the City of Brea.

The creating of Landscape and Lighting Maintenance District No. 7 in the City of Brea was a requirement of the City of Brea for the development of Tract Nos. 14658, 14657, 15670 and 14656.

The formation of the district and the levy of the first annual assessment was completed in accordance with the requirements of the Landscaping and Lighting Act of 1972 on August 1, 1995.

In FY 2007-08, the property owners submitted ballots and approved an increase in assessment rate. Included in that balloting was an annual CPI escalator that will allow the assessment rate to keep up with the cost of living. The annual escalator sets the maximum rate that the properties might be assessed.

The purpose of this report is to be utilized by the City Staff, the City Council, and the County Assessor in the levy and collection of an annual assessment after formation of an assessment district under the requirements of the Landscaping and Lighting Act of 1972 (State of California and Highways Code, Section 22620 to 22631).

## **PART A PLANS AND SPECIFICATIONS**

The facilities, which consist of slopes and greenbelt areas and theme lighting, will be operated, serviced and maintained as generally described as follows:

### Landscaping and Appurtenant Facilities

Facilities include but are not limited to: landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of the Assessment District.

### Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of the Assessment District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of the landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing and describing the general nature, location, and the extent of the improvements, are on file in the office of the Director of Public Works and are incorporated herein by reference.

## PART B ESTIMATE OF COST

The estimated cost of the operation, servicing and maintenance of the street and sidewalk improvements for Fiscal Year 2018-19, as described in Part A, are summarized herein and described below.

### MAINTENANCE DISTRICT # 7 - ANNUAL COST FACTORS

Acct #	Description	FY 18-19 Est.
<b>1. Fixed Costs</b>		<b>Expenses</b>
4111	Salaries & Benefits	\$5,333
4113	Overtime	\$100
4243	Engineering	\$0
4244	Legal	\$0
4412	Property Tax Collection	\$103
	<b>Fixed Costs Totals</b>	<b>\$5,536</b>
<b>2. ROUTINE COSTS</b>		
4211	Postage	\$45
4249	Professional Svcs/Other	\$3,000
4266	Contract Services/Grounds Maintenance	\$12,575
4269	Bldg and Equipment Service	\$100
4285	Water	\$8,250
4339	Construction & Maintenance	\$0
5800	Insurance and Other Expenses	\$536
	<b>Routine Costs Totals</b>	<b>\$24,506</b>
	<b>Total Costs (Fixed &amp; Routine)</b>	<b>\$30,042</b>
	<b>Contribution to Capital Replacement Reserve</b>	<b>\$0</b>
	<b>FY 2018-19 Annual Assessments</b>	<b>\$27,651</b>
	<b>Reserve Fund Requirement:</b>	
	Operating Reserve – 50% (6 months)*	\$0
	<b>Capital Replacement Reserve**</b>	
	Estimated Balance 1-July-2018	\$6,309
	Contribution to Capital Replacement Reserve	\$0
	Less planned capital expenditures	\$0
	Estimated Fund Balance 30-Jun-2019	\$3,918

\*The Operating Reserve fund is being established for the District to cover the first six months of expenses annually before collection from the County has been received, as well as unexpected expenses. The funds will not exceed 50% of the anticipated annual expenditures, in anticipation of any maintenance costs that can and do occur during the year.

\*\*The Capital Replacement Reserve fund is established to fund the replacement or refurbishment of components based on life expectancy and value of the improvements within the district. Based on the current fund balance, there are insufficient funds to cover the replacement expenses of the existing improvements.

The 1972 Act requires that a special fund be set up for the revenues and expenditures of the Districts. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the Districts by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.



## PART C METHOD OF APPORTIONMENT OF ASSESSMENT

### GENERAL

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

Section 22573 of the Landscaping and Lighting Act of 1972 (the 1972 Act) requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"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 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" based on the actual benefit rather than a "special tax."

### ASSESSMENT METHODOLOGY

The parcels of land in the District are single family residential (SFR) lots, with each of these lots benefiting equally from the improvements being maintained. Therefore, the costs associated with the landscaping and lighting within and directly adjacent to the tract will be apportioned on a residential lot basis as follows:

$$\$27,651 / 96 \text{ SFR's} = \$288.03 / \text{SFR}$$

**This assessment rate is the maximum rate.** The maximum assessment rate will be increased each year by the annual change in the Consumer Price Index (CPI), All Urban Consumers, for the Los Angeles, Riverside and Orange County areas. The actual assessments levied in any fiscal year will be as approved by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. The calculation for the maximum assessment rate is provided in the table below. The increase in CPI for FY 2018-19 is 2.8%.

Maximum Assessment Rate Calculation		
Fiscal Year	CPI Increase	Maximum Assessment
FY 2007-08		\$245.00 / SFR
FY 2008-09	3.3%	\$253.05 / SFR
FY 2009-10	3.5%	\$261.91 / SFR
FY 2010-11	0%	\$261.91 / SFR
FY 2011-12	1.2%	\$265.05 / SFR
FY 2012-13	2.7%	\$272.21 / SFR
FY 2013-14	2%	\$277.65 / SFR
FY 2014-15	1.1%	\$280.70 / SFR
FY 2015-16	.7%	\$282.66 / SFR
FY 2016-17	2%	\$288.31 / SFR
FY 2017-18	1.9%	\$293.79 / SFR
FY 2018-19	2.8%	\$302.02 / SFR

## PART D ASSESSMENT ROLL

The amount of the total proposed assessment for Fiscal Year 2018-19 apportioned to each lot or parcel within the District, as shown on the latest assessment roll at the Orange County Assessor's Office, is contained in the Assessment Roll provided below.

The description of each lot or parcel is part of the Orange County assessment roll and this roll is, by reference, made part of this Report.

AD#	APN	Lot	Tract	Asmt	AD#	APN	Lot	Tract	Asmt
1	29646113	1	14658	\$253.05	39	29643133	18	14657	\$253.05
2	29643114	2	14658	\$253.05	40	29633150	1	15070	\$253.05
3	29643115	3	14658	\$253.05	41	29633149	2	15070	\$253.05
4	29643116	4	14658	\$253.05	42	29633148	3	15070	\$253.05
5	29643117	5	14658	\$253.05	43	29633147	4	15070	\$253.05
6	29643118	6	14658	\$253.05	44	29633146	5	15070	\$253.05
7	29643119	7	14658	\$253.05	45	29633145	6	15070	\$253.05
8	29643120	8	14658	\$253.05	46	29633144	7	15070	\$253.05
9	29643121	9	14658	\$253.05	47	29643143	8	15070	\$253.05
10	29643101	10	14658	\$253.05	48	29633141	9	15070	\$253.05
11	29643102	11	14658	\$253.05	49	29633140	10	15070	\$253.05
12	29643103	12	14658	\$253.05	50	29633139	11	15070	\$253.05
13	29643104	13	14658	\$253.05	51	29633138	12	15070	\$253.05
14	29643105	14	14658	\$253.05	52	29633137	13	15070	\$253.05
15	29643106	15	14658	\$253.05	53	29633134	14	15070	\$253.05
16	29643107	16	14658	\$253.05	54	29633133	15	14657	\$253.05
17	29643108	17	14658	\$253.05	55	29633132	16	14657	\$253.05
18	29643109	18	14658	\$253.05	56	29633131	17	14657	\$253.05
19	29643110	19	14658	\$253.05	57	29633130	18	14657	\$253.05
20	29643111	20	14658	\$253.05	58	29633129	19	14657	\$253.05
21	29643112	21	14658	\$253.05	59	29633128	20	14657	\$253.05
22	29643134	1	14657	\$253.05	60	29633126	21	14657	\$253.05
23	29643135	2	14657	\$253.05	61	29633125	22	14657	\$253.05
24	29643136	3	14657	\$253.05	62	29633124	23	14657	\$253.05
25	29643137	4	14657	\$253.05	63	29633123	24	14657	\$253.05
26	29643138	5	14657	\$253.05	64	29633122	25	14657	\$253.05
27	29643139	6	14657	\$253.05	65	29633121	26	14657	\$253.05
28	29643140	7	14657	\$253.05	66	29633120	27	14657	\$253.05
29	29643141	8	14657	\$253.05	67	29644104	1	14656	\$253.05
30	29643142	9	14657	\$253.05	68	29644105	2	14656	\$253.05
31	29643143	10	14657	\$253.05	69	29644106	3	14656	\$253.05
32	29643126	11	14657	\$253.05	70	29644107	44	14656	\$253.05
33	29643127	12	14657	\$253.05	71	29644108	5	14656	\$253.05
34	29643128	13	14657	\$253.05	72	29644109	6	14656	\$253.05
35	29643129	14	14657	\$253.05	73	29644110	7	14656	\$253.05
36	29643130	15	14657	\$253.05	74	29644111	8	14656	\$253.05
37	29643131	16	14657	\$253.05	75	29644112	9	14656	\$253.05

38	29643132	17	14657	\$253.05	76	29644113	10	14656	\$253.05
AD#	APN	Lot	Tract	Asmt					
77	29644114	11	14656	\$253.05					
78	29644115	12	14656	\$253.05					
79	29644116	13	14656	\$253.05					
80	29644117	14	14656	\$253.05					
81	29644118	15	14656	\$253.05					
82	29644119	16	14656	\$253.05					
83	29644120	17	14656	\$253.05					
84	29644121	18	14656	\$253.05					
85	29644122	19	14656	\$253.05					
86	29644123	20	14656	\$253.05					
87	29644124	21	14656	\$253.05					
88	29644125	22	14656	\$253.05					
89	29644126	23	14656	\$253.05					
90	29644127	24	14656	\$253.05					
91	29644128	25	14656	\$253.05					
92	29644129	26	14656	\$253.05					
93	29644130	27	14656	\$253.05					
94	29644101	28	14656	\$253.05					
95	29644102	29	14656	\$253.05					
96	29644103	30	14656	\$253.05					

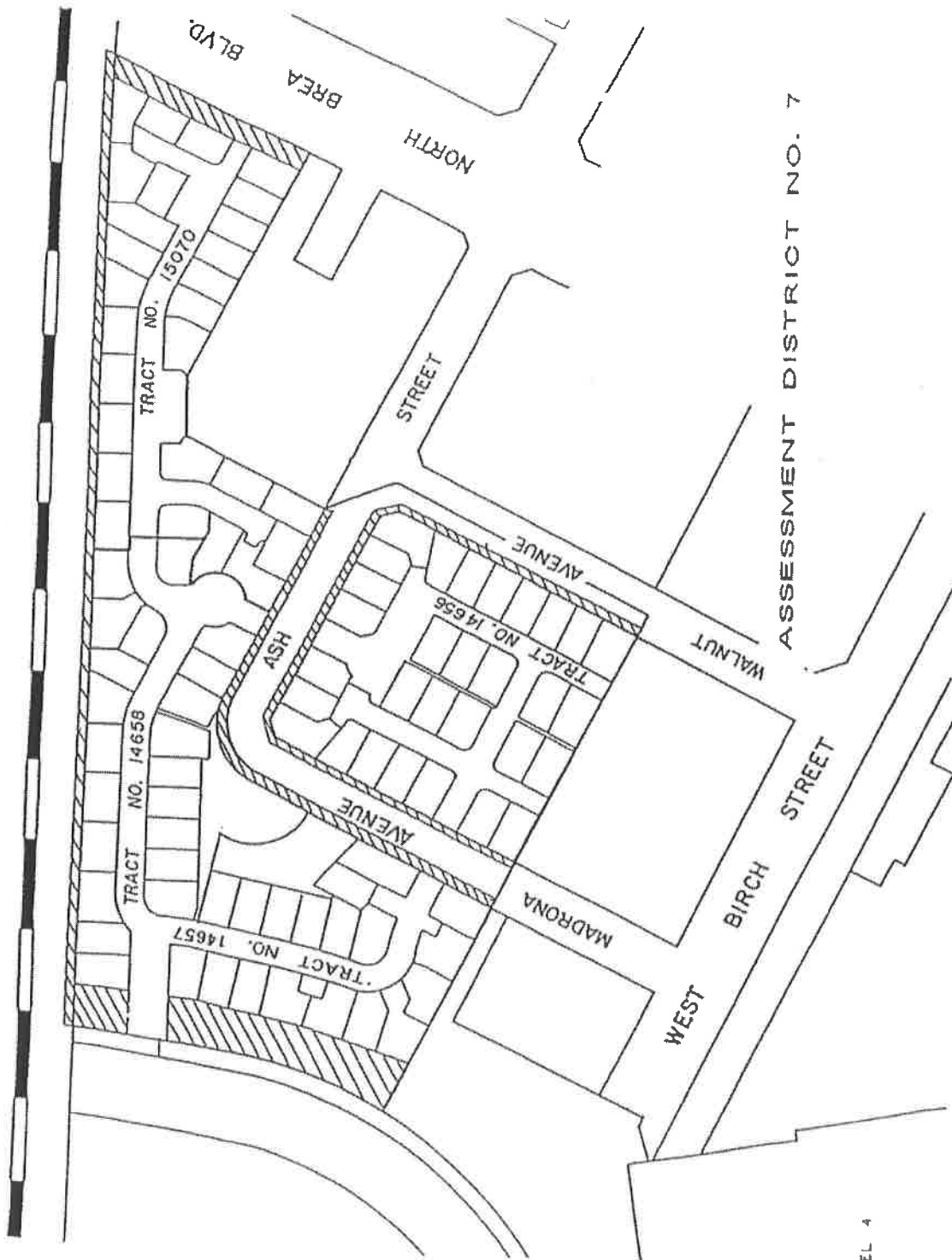
## **PART E**

### **ASSESSMENT DISTRICTS' BOUNDARIES**

A diagram of the boundaries of Landscape and Lighting Maintenance District No. 7 is included herein.

District No. 7 includes all properties in the City of Brea located within the tract boundary of Tract No. 14658 recorded in Book 724, Pages 9 through 11, of Tract No. 14657 recorded in Book 733, Pages 15, 16, and 17, and of Tract Nos. 15070 and 14656 of Miscellaneous Maps, records of Orange County, California.

Also, the lines and dimensions of each lot or parcel within the Districts are those lines and dimensions shown on the maps of the Assessor of the County of Orange for Fiscal Year 2018-19. The Assessor's maps and records are incorporated by reference herein and made part of this report.



## **RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA  
APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF  
THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF  
BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1  
AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A  
PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID  
DISTRICT FOR FISCAL YEAR 2018-2019**

### **A. RECITALS:**

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 1 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

### **B. RESOLUTION:**

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 1 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2018-2019 pursuant to Division 15 of the Streets and Highways Code of

the State of California, known as the "Landscape and Lighting Act of 1972," on that area designated "City of Brea Landscape and Lighting Assessment District No. 1," an area encompassed by Final Tract Nos. 9121, 9341 and 9342 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 9121, 9341 and 9342. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract Nos. 9121, 9341 and 9342.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting District No. 1 for fiscal year 2018-2019. Said proposed assessment per lot is in the amount of \$543.00.

6. This Council hereby fixes 7:00 p.m. on June 5, 2018, in the Council



Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Landscape and Lighting Assessment District No. 1 for fiscal year 2018-2019 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to June 5, 2018.

**APPROVED AND ADOPTED** this 1st day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

I, Lillian Harris-Neal, City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 1st day of May, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

## **EXHIBIT "A"**

### LEGAL DESCRIPTION

#### LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1 INCLUDES ALL OF THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 9121 RECORDED IN BOOK 378, PAGES 49 AND 50; TRACT NO. 9341 RECORDED IN BOOK 395, PAGES 28, 29 AND 30; AND OF TRACT NO. 9342 RECORDED IN BOOK 386, PAGES 41, 42 AND 43, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

## **RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LIGHTING ASSESSMENT DISTRICT NO. 2 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING OF THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2018-2019**

### **A. RECITALS:**

(i) This Council heretofore adopted a resolution creating City of Brea Lighting Assessment District No. 2 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

### **B. RESOLUTION:**

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Lighting Assessment District No. 2 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2018-2019 pursuant to Division 15 of the Streets and Highways Code of the State of California, known as the "Landscaping and Lighting Act of 1972," on that area

designated "City of Brea Lighting Assessment District No. 2," an area encompassed by Final Tracts Nos. 9227, 9228 and 8857 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract No. 9227, 9228 and 8857.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Lighting Assessment District No. 2 for fiscal year 2018-2019. Said proposed assessment per lot is in the amount of \$18.50.

6. This Council hereby fixes 7:00 p.m. on June 5, 2018, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Lighting Assessment District No. 2 for fiscal year 2018-2019 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to June 5, 2018.

**APPROVED AND ADOPTED** this 1st day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

I, Lillian Harris-Neal, City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 1st day of May, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

## **EXHIBIT "A"**

### LEGAL DESCRIPTION

#### LIGHTING ASSESSMENT DISTRICT NO. 2

THE BOUNDARIES OF LIGHTING ASSESSMENT DISTRICT NO. 2 IS DESCRIBED AS "BEING THE BOUNDARY OF ANNEXATION NO. 8-74 TO THE CITY OF BREA, COUNTY OF ORANGE, STATE OF CALIFORNIA," ALSO BEING ALL THE PROPERTIES LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 9227 RECORDED IN BOOK 392, PAGES 5 THROUGH 12; TRACT NO. 9228 RECORDED IN BOOK 428, PAGES 32 THROUGH 38; AND TRACT NO. 8857 RECORDED IN BOOK 464, PAGES 38 THROUGH 44, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.



## **RESOLUTION NO.**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 3 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2018-2019**

#### **A. RECITALS:**

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 3 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

#### **B. RESOLUTION:**

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 3 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments

during fiscal year 2018-2019 pursuant to Division 15 of the Streets and Highways Code of the State of California, known as the "Landscape and Lighting Act of 1972," on that area designated "City of Brea Landscape and Lighting District Assessment No. 3," an area encompassed by Final Tract No. 8242 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract No. 8242. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract No. 8242.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting Assessment District No. 3 for fiscal year 2018-2019. Said proposed assessment per lot is in the amount of \$472.71.

6. This Council hereby fixes 7:00 p.m. on June 5, 2018, in the Council

Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Landscape and Lighting Assessment District No. 3 for fiscal year 2018-2019 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to June 5, 2018.

**APPROVED AND ADOPTED** this 1st day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

I, Lillian Harris-Neal, City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 1st day of May, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

#### **LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 3**

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 3 INCLUDES ALL OF THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 8242 RECORDED IN BOOK 428, PAGES 19 THROUGH 24 OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

## **RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA  
APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF  
THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF  
BREA LIGHTING ASSESSMENT DISTRICT NO. 4 AND FIXING AND  
GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING OF  
THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL  
YEAR 2018-2019**

### **A. RECITALS:**

(i) This Council heretofore adopted a resolution creating City of Brea Lighting Assessment District No. 4 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

### **B. RESOLUTION:**

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Lighting Assessment District No. 4 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2018-2019 pursuant to Division 15 of the Streets and Highways Code of

the State of California, known as the "Landscaping and Lighting Act of 1972," on that area designated "City of Brea Lighting District No. 4," an area encompassed by Final Tract Nos. 10224, 10324, 10325, 10327 and 9298 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 10224, 10324, 10325, 10326, 10327, and 9298.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Lighting District No. 4 for fiscal year 2018-2019. Said proposed assessment per lot is in the amount of \$12.00.

6. This Council hereby fixes 7:00 p.m. on June 5, 2018, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the

proposed assessments on City of Brea Lighting Assessment District No. 4 for fiscal year 2018-2019 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to June 5, 2018.

**APPROVED AND ADOPTED** this 1st day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk



I, Lillian Harris-Neal, City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 1st day of May, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

#### **LIGHTING ASSESSMENT DISTRICT NO. 4**

LIGHTING ASSESSMENT DISTRICT NO. 4 INCLUDES ALL THE PROPERTIES LOCATED IN THE CITY OF BREA WITHIN TRACT NO. 10224 AS SHOWN ON A MAP RECORDED IN BOOK 436, PAGES 13 THROUGH 16 INCLUSIVE, TRACT NO. 10324 AS SHOWN ON A MAP RECORDED IN BOOK 447, PAGES 3 THROUGH 5 INCLUSIVE, TRACT NO. 10325 AS SHOWN ON A MAP RECORDED IN BOOK 461, PAGES 9 THROUGH 12 INCLUSIVE, TRACT NO. 10326 AS SHOWN ON A MAP RECORDED IN BOOK 461, PAGES 13 THROUGH 16 INCLUSIVE, TRACT NO. 10327 AS SHOWN ON A MAP RECORDED IN BOOK 461, PAGES 17 THROUGH 20 INCLUSIVE, AND TRACT NO. 9298 AS SHOWN ON A MAP RECORDED IN BOOK 476, PAGES 5 THROUGH 7 INCLUSIVE, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

## **RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA  
APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF  
THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF  
BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 5  
AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A  
PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID  
DISTRICT FOR FISCAL YEAR 2018-2019**

### **A. RECITALS:**

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 5 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

### **B. RESOLUTION:**

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 5 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2018-2019 pursuant to Division 15 of the Streets and Highways Code of the State of California, known as the "Landscape and Lighting Act of 1972," on that area

designated "City of Brea Landscape and Lighting Assessment District No. 5," an area encompassed by Final Tract Nos. 9111, 9414, & 9473 and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 9111, 9414 and 9473. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract Nos. 9111, 9414, and 9473.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting Assessment District No. 5 for fiscal year 2018-2019. Said proposed assessment per lot is in the amount of \$886.26, as detailed in said report of the Director of Public Works.

6. This Council hereby fixes 7:00 p.m. on June 5, 2018, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the

proposed assessments on City of Brea Landscape and Lighting Assessment District No. 5 for fiscal year 2018-2019 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to June 5, 2018.

**APPROVED AND ADOPTED** this 1st day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

I, Lillian Harris-Neal, City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 1st day of May, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

## **EXHIBIT "A"**

### LEGAL DESCRIPTION

#### LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 5

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 5 INCLUDES ALL THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 9111 RECORDED IN BOOK 374, PAGES 24, 25 AND 26 OF TRACT NO. 9414 RECORDED IN BOOK 409, PAGES 8 AND 9, AND OF TRACT NO. 9473 RECORDED IN BOOK 291, PAGES 26, 27 AND 28, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

## **RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA  
APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF  
THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF  
BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 6  
AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A  
PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID  
DISTRICT FOR FISCAL YEAR 2018-2019**

### **A. RECITALS:**

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 6 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

### **B. RESOLUTION:**

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 6 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2018-2019 pursuant to Division 15 of the Streets and Highways Code of



the State of California, known as the "Landscape and Lighting Act of 1972," on that area designated "City of Brea Landscape and Lighting Assessment District No. 6," an area encompassed by Final Tract Nos. 8820, 9531, and 9532, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 8820, 9531, and 9532. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract Nos. 8820, 9531, and 9532.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting Assessment District No. 6 for fiscal year 2018-2019. Said proposed assessment per lot is in the amount of \$1399.95, as detailed in said report of the Director of Public Works.

6. This Council hereby fixes 7:00 p.m. on June 5, 2018, in the Council

Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Landscape and Lighting Assessment District No. 6 for fiscal year 2018-2019 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

- a. Certify to the adoption of this Resolution;
- b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to June 5, 2018.

**APPROVED AND ADOPTED** this 1st day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

I, Lillian Harris-Neal, City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 1st day of May, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

#### **LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 6**

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 6 INCLUDES ALL THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 8820, RECORDED IN BOOK 454, PAGES 19 THROUGH 24 INCLUSIVE, TRACT NO. 9531, RECORDED IN BOOK 423, PAGES 24 THROUGH 28 INCLUSIVE, AND TRACT NO. 9532 RECORDED IN BOOK 454, PAGES 25 THROUGH 28, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

## **RESOLUTION NO.**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BREA APPROVING THE REPORT FILED PURSUANT TO SECTION 22623 OF THE STREETS AND HIGHWAYS CODE WITH RESPECT TO CITY OF BREA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 7 AND FIXING AND GIVING NOTICE OF A TIME AND PLACE FOR A PUBLIC HEARING ON THE LEVY OF AN ASSESSMENT ON SAID DISTRICT FOR FISCAL YEAR 2018-2019**

#### **A. RECITALS:**

(i) This Council heretofore adopted a resolution creating City of Brea Landscape and Lighting Assessment District No. 7 pursuant to Division 15 of the California Streets and Highways Code.

(ii) The Director of Public Works has prepared, filed with the City Clerk and presented to this Council a report relating to said assessment pursuant to the provisions of Section 22623 of the California Streets and Highways Code.

#### **B. RESOLUTION:**

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED** by the City Council of the City of Brea as follows:

1. In all respects as set forth in the Recitals, Part A, of this Resolution.
2. The above-described report submitted by the Director of Public Works relating to City of Brea Landscape and Lighting Assessment District No. 7 is hereby approved as filed.
3. This Council hereby declares its intention to levy and collect assessments during fiscal year 2018-2019 pursuant to Division 15 of the Streets and Highways Code of

the State of California, known as the "Landscape and Lighting Act of 1972," on that area designated "City of Brea Landscape and Lighting Assessment District No. 7," an area encompassed by Final Tract Nos. 14658, 14657, 15070 and 14656, and more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

4. A general description of the improvements proposed for the aforementioned district is as follows:

The maintenance and possible future replacement of lighting, landscaping and any facilities which are appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks or paving, or water, irrigation, drainage, or electrical facilities. Said maintenance and servicing of said lighting shall be in the area of Tract Nos. 14658, 14657, 15070 and 14656. Said landscaping and related facilities shall be in the lettered lots, common parking bays and related planters within Final Tract Nos. 14658, 14657, 15670 and 14656.

5. Reference hereby is made to the report of the Director of Public Works relating to the said assessment district herein above approved. Said report is on file with the City Clerk of the City of Brea and contains a full and detailed description of the improvements, the boundaries of the assessment district and contains the proposed assessments upon assessable lots and parcels of land within City of Brea Landscape and Lighting Assessment District No. 7 for fiscal year 2018-2019. Said proposed assessment per lot is in the amount of \$296.09, as detailed in said report of the Director of Public Works.

6. This Council hereby fixes 7:00 p.m. on June 5, 2018, in the Council Chambers, Brea Civic and Cultural Center, 1 Civic Center Circle, Brea, California, as the time and place for a hearing before this Council on the question of the levy of the proposed assessments on City of Brea Landscape and Lighting Assessment District No. 7 for fiscal year 2018-2019 and hereby gives notice of said hearing.

7. The City Clerk shall do the following:

a. Certify to the adoption of this Resolution;

b. Cause a true and correct copy of this Resolution to be published once in a newspaper of general circulation located within the City of Brea at least ten days prior to June 5, 2018.

**APPROVED AND ADOPTED** this 1st day of May, 2018.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

I, Lillian Harris-Neal, City Clerk of the City of Brea, do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Brea held on the 1st day of May, 2018, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAINED: COUNCIL MEMBERS:

DATED: \_\_\_\_\_

\_\_\_\_\_  
City Clerk



## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

#### **LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 7**

LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 7 INCLUDES ALL THE PROPERTIES IN THE CITY OF BREA LOCATED WITHIN THE TRACT BOUNDARY OF TRACT NO. 14656, RECORDED IN BOOK 746, PAGES 47 THROUGH 49 INCLUSIVE, TRACT NO. 14658, RECORDED IN BOOK 724, PAGES 9 THROUGH 11 INCLUSIVE, TRACT NO. 14657 RECORDED IN BOOK 733, PAGES 15 THROUGH 17 INCLUSIVE, TRACT NO. 15070, RECORDED IN BOOK 738, PAGES 27 THROUGH 30 INCLUSIVE, ALL OF MISCELLANEOUS MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.