

# City of Calistoga

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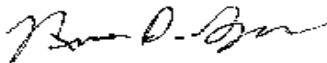
## Staff Report

**TO:** Honorable Mayor and City Council Members  
**FROM:** Michael Kirn, Public Works Director/City Engineer  
**DATE:** July 16, 2013  
**SUBJECT:** Consideration of a Resolution Authorizing the Levying and Collection of Assessments for the Palisades Landscape Maintenance District for Fiscal Year 2013-14

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APPROVAL FOR FORWARDING:



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Richard D. Spitler, City Manager

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2 **ISSUE:**  
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4 Consideration of a resolution authorizing the levying and collection of assessments for the  
5 Palisades Landscape Maintenance District for Fiscal Year 2013-14.  
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7 **RECOMMENDATION:**  
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9 Conduct a public hearing and consider adoption of a resolution approving the assessment  
10 amount and authorizing the levying and collection of assessments for Fiscal Year 2013-14.  
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12 **BACKGROUND/DISCUSSION:**  
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14 As a condition of the development of the Palisades Subdivision, a landscaping assessment  
15 district was established to fund the maintenance of the area adjacent to State Route 29 on  
16 the north side of the development, and along Money Lane between the property fence and  
17 sidewalk.  
18

19 The Landscaping and Lighting Act of 1972 (Streets and Highways Code 22500-22647)  
20 requires that the City undertake certain proceedings for any fiscal year during which  
21 assessments are to be levied and collected. These proceedings are usually accomplished  
22 at three separate Council meetings.  
23

24 On May 7, 2013, the Council adopted a resolution directing the City Engineer to prepare  
25 and file a report for the Palisades Landscape Maintenance Assessment District for Fiscal  
\\Public Works\Assessment Districts\Palisades\2013\Palisades Annual Assessment SR

26 Year 2013-14. On June 18, 2013, the Council adopted a resolution approving the  
27 Engineer's Report, declaring the City Council's intent to levy and collect assessments and  
28 setting the date for the public hearing.

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30 Tonight's action is the third and final Council action on these annual proceedings. At the  
31 conclusion of the public hearing, the Council can authorize the levying and collection of the  
32 annual assessments for the Palisades Landscape Maintenance District in the amount of  
33 \$35/parcel. This is the same amount as was assessed in Fiscal Year 2012-13.

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35 **FISCAL IMPACT:**

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37 The Assessment District is intended to have no direct fiscal impact on the City of Calistoga,  
38 as revenues collected through assessment are expended for maintenance and  
39 administration. However, estimated costs for FY 2013-14 are expected to exceed the total  
40 assessment in the amount of \$183. This minor amount can be included in the overall Park  
41 Maintenance budget. Any proposed increase in the amount of the assessment would  
42 require balloting of the property owners under the provisions of Proposition 218.

43

44 **ATTACHMENTS:**

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- 46 1) Resolution  
47 2) Engineer's Report

RESOLUTION NO. 2013 - XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, AUTHORIZING THE LEVYING AND COLLECTION OF ASSESSMENTS FOR THE PALISADES LANDSCAPE AND MAINTENANCE DISTRICT FOR FISCAL YEAR 2013-2014

WHEREAS, the City of Calistoga established a Landscape and Maintenance District for the Palisades Subdivision; and

WHEREAS, in accordance with the Landscaping and Lighting Act of 1972 (Streets and Highways Code 22500-22647), the City is required to undertake certain proceedings for any fiscal year during which an assessment is to be levied; and

WHEREAS, on May 7, 2013, the City Council directed the City Engineer to prepare a report in accordance with the requirements of the California Streets and Highways Code in Article 4 of Chapter 1 commencing with Section 22565; and

WHEREAS, on June 18, 2013, the City Engineer's report was accepted by the City Council; and

WHEREAS, on July 16, 2013, a public hearing was held to receive testimony from the citizens of the City of Calistoga; and

WHEREAS, Pursuant to California Streets and Highways Code, Article 4 of Chapter 1, commencing with Section 22620, the City Council may set the amount of assessment to be the same as the preceding year; and

WHEREAS, there will be no new improvements or substantial changes in the existing improvements other than that required to maintain the existing landscape and irrigation system.

NOW, THEREFORE BE IT RESOLVED THAT the City Council of the City of Calistoga does hereby confirm the diagram and the assessment contained in the Engineer's Report; and

BE IT FURTHER RESOLVED THAT the City Council of the City of Calistoga does hereby levy an assessment of \$35.00 per parcel and authorizes the collection of such assessment for the Palisades Subdivision Landscape Maintenance Assessment District for the Fiscal Year 2013-14.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this 16<sup>th</sup> day of July 2013, by the following vote:

- AYES:
NOES:
ABSTAIN/ABSENT:

CHRIS CANNING, Mayor

ATTEST:

AMANDA DAVIS, DEPUTY CITY CLERK