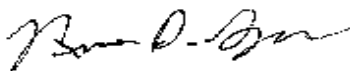


City of Calistoga

Staff Report

TO: Honorable Mayor and City Council Members
FROM: Michael Kirn, Public Works Director/City Engineer
DATE: June 2, 2015
SUBJECT: Consideration of a Resolution Directing the City Engineer to Prepare and File a Report for the Silverado Place Subdivision Landscape Maintenance District in Accordance with Article 4 of Chapter 1 of the California Streets and Highways Code

APPROVAL FOR FORWARDING:



Richard D. Spitler, City Manager

1 **ISSUE:** Consideration of a Resolution directing the City Engineer to prepare and
 2 file a report for the Silverado Place Subdivision Landscape Maintenance District
 3 in accordance with Article 4 of Chapter 1 of the Streets and Highways Code.
 4

5 **RECOMMENDATION:** Adopt Resolution.
 6

7 **BACKGROUND / DISCUSSION:** Through the conditions of approval for the
 8 Silverado Place Subdivision, the City required the establishment of a Landscape
 9 Maintenance District (LMD) to fund the maintenance of adjacent public
 10 landscaping through the levying of assessments on the parcels within that
 11 subdivision.
 12

13 The Landscaping and Lighting Act of 1972 (Streets and Highways Code 22500-
 14 22647) requires that the City undertake certain proceedings for any fiscal year
 15 during which an assessment is proposed to be levied and collected. These
 16 proceedings are usually accomplished through three Council actions as follows:
 17

- 18 1) Adopt a resolution directing the City Engineer to prepare and file a report.
 19
- 20
- 21 2) Approve the Engineer's Report, declare the City Council's intent to levy
 22 and collect assessments and set the date for a public hearing.
 23

- 24 3) Conduct a public hearing and authorize the actual levying and collection of
25 assessments.
26

27 The recommended Resolution begins the process for the 2015/2016
28 assessment. At the June 16th meeting you will receive the Engineer's Report
29 and set the date for a public hearing. During the Public Hearing the Council will
30 receive any public testimony on the proposed assessment and will consider the
31 levy of the proposed assessments.
32

33 **CONSISTANCY WITH CITY COUNCIL GOALS AND OBJECTIVES:** The
34 recommended action supports the FY 2015/16 City Council Goal No. 3, Objective
35 1 by providing a funding mechanism to "...maintain the high level of service and
36 reliability of the City's infrastructure systems and facilities." The LMD provides a
37 funding mechanism for maintenance of the landscaping that benefits the
38 properties in the LMD. Without this funding mechanism, the City would have to
39 consider termination of landscape maintenance or use other discretionary
40 funding to cover the maintenance costs.
41

42 **ENVIRONMENTAL ANALYSIS:** The recommended Resolution is general policy
43 and procedure and is not a Project under CEQA. Section 15378(b) (4) of CEQA
44 provides that a "...Project does not include: The creation of government funding
45 mechanisms or other government fiscal activities which do not involve any
46 commitment to any specific project which may result in a potentially significant
47 physical impact on the environment." As such this action is not a "project"
48 subject to CEQA.
49

50 **FISCAL IMPACT:** There will be no fiscal impact through the adoption of the
51 recommended resolution. Actual fiscal impact will be determined after the
52 preparation of the Engineer's Report.
53

54 **ATTACHMENTS:**

- 55 1) Resolution

RESOLUTION 2015 - XXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA,
COUNTY OF NAPA, STATE OF CALIFORNIA, DIRECTING THE CITY
ENGINEER TO PREPARE AND FILE A REPORT FOR THE SILVERADO
PLACE SUBDIVISION LANDSCAPE MAINTENANCE DISTRICT IN
ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF THE STREETS AND
HIGHWAYS CODE**

WHEREAS, the City of Calistoga established a Landscape Maintenance District for the Silverado Place Subdivision to fund the maintenance of adjacent public landscaping through the levying of assessments on the parcels within that subdivision; and

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

WHEREAS, the recommended action is general policy and procedure and is not a Project under CEQA pursuant to Section 15378(b) (4) of CEQA; and

WHEREAS, the first step in these annual proceedings is to direct the City Engineer to prepare and file a report.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Calistoga hereby directs the City Engineer to prepare and file a report for the Silverado Place Landscape Maintenance District as required by the Streets and Highways Code and return to the Council with completed report for further action.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **2nd day of June 2015**, by the following vote:

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

CHRIS CANNING, Mayor

ATTEST:

KATHY FLAMSON, City Clerk

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