



# CITY OF CALISTOGA

## STAFF REPORT

**TO:** Honorable Mayor and City Council  
**FROM:** Derek Rayner, Acting Public Works Director/City Engineer  
**DATE:** July 16, 2019  
**SUBJECT:** Consideration of a Resolution Authorizing the Levying and Collection of Assessments for the Palisades Landscape Maintenance District for Fiscal Year 2019-20

### Approved by

**Michael Kirn, City Manager**

### DESCRIPTION:

Consideration of a Resolution Authorizing the Levying and Collection of Assessments for the Palisades Landscape Maintenance District for Fiscal Year 2019-20.

### RECOMMENDATION:

Conduct a public hearing and consider adoption of a resolution approving the assessment amount and authorizing the levying and collection of assessments for Fiscal Year 2019-20.

### BACKGROUND:

As a condition of the development of the Palisades Subdivision, a landscaping assessment district was established to fund the maintenance of the area adjacent to State Route 29 on the north side of the development, and along Money Lane between the property fence and sidewalk.

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 assessments are to be levied and collected. These proceedings are usually accomplished at three separate Council meetings.

On May 7, 2019, the Council adopted a resolution directing the City Engineer to prepare and file a report for the Palisades Landscape Maintenance Assessment District for Fiscal Year 2019-20. On June 4, 2019, the Council adopted a resolution approving the Engineer's Report, declaring the City Council's intent to levy and collect assessments and setting July 16, 2019 as the date for the public hearing.

Tonight's action is the third and final Council action on these annual proceedings. At the conclusion of the public hearing, the Council can authorize the levying and collection of the annual assessments for the Palisades Landscape Maintenance District in the amount of \$35/parcel. This is the same amount as was assessed in Fiscal Year 2018-19.

**FINANCIAL IMPACT:**

The Assessment District was originally established with intent of having no fiscal impact on the City of Calistoga for the purposes of maintaining the landscaping and administration. However, estimated costs for FY 2019-20 are expected to exceed the total assessment in the amount of \$870. This amount has been included in the overall Park Maintenance budget under Account # 01-4123-4402. Any proposed increase in the amount of the assessment would require balloting of the property owners under the provisions of Proposition 218.

**CONSISTENCY WITH CITY COUNCIL GOALS AND OBJECTIVES:**

The recommended action supports the FY 2019-20 City Council Goal No. 3, Objective 1, by providing a funding mechanism to "...maintain the high level of service and reliability of the City's infrastructure systems and facilities." The LMD provides a funding mechanism for maintenance of the landscaping that benefits the properties in the LMD. Without this funding mechanism, the City would have to consider termination of landscape maintenance or use other discretionary funding to cover the maintenance costs.

**ATTACHMENTS:**

1. Resolution
2. Engineer's Report

**RESOLUTION NO. 2019 - 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 2019-2020**

**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, 2019, 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 4, 2019, the City Engineer's report was accepted by the City Council and on July 16, 2019, 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 maintaining 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; 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 2019-20.

**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 2019**, by the following vote:

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

\_\_\_\_\_  
**CHRIS CANNING, Mayor**

**ATTEST:**

\_\_\_\_\_  
**IRENE CAMACHO-WERBY,**  
**City Clerk**

**ENGINEER'S REPORT**  
**PALISADES LANDSCAPE MAINTENANCE DISTRICT**  
**CITY OF CALISTOGA**  
**FISCAL YEAR 2019-2020**

PREPARED BY: \_\_\_\_\_

Michael T. Kirn  
City Engineer  
RCE 46695  
Exp. 06/30/19

Dated: June 4, 2019

**ENGINEER'S REPORT  
PALISADES LANDSCAPE MAINTENANCE DISTRICT  
CITY OF CALISTOGA**

The undersigned respectfully submits the enclosed report as directed by the City Council.

DATED: June 4, 2019

Michael T. Kirn  
City Engineer/Engineer of Work

BY \_\_\_\_\_

**I HEREBY CERTIFY** that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with me on the June 4, 2019.

Irene Camacho-Werby, City Clerk  
City of Calistoga  
Napa County, California

BY \_\_\_\_\_

**I HEREBY CERTIFY** the City Council on May 7, 2019 authorized the City Engineer to prepare and file a report as required by the Streets and Highways Code, together with Assessment and Assessment Diagram thereto attached.

Irene Camacho-Werby, City Clerk  
City of Calistoga  
Napa County, California

BY \_\_\_\_\_

**I HEREBY CERTIFY** that the enclosed Engineer's Report, together with Assessment and Assessment Diagram thereto attached, was filed with the County Auditor of the County of Napa on July \_\_\_\_, 2019.

Irene Camacho-Werby, City Clerk  
City of Calistoga  
Napa County, California

BY \_\_\_\_\_

## **ENGINEER'S REPORT**

### **PALISADES LANDSCAPE MAINTENANCE DISTRICT CITY OF CALISTOGA, COUNTY OF NAPA, CALIFORNIA (Pursuant to the Landscaping and Lighting Act of 1972)**

Michael Kirn, City Engineer and Engineer of Work for Palisades Landscaping Maintenance District, City of Calistoga, County of Napa, California, makes this report, as directed by the City Council, pursuant to Section 22585 of the Streets and Highways Code (**Landscaping and Lighting Act of 1972**).

The improvements which are the subject of this report are briefly described as follows:

The maintenance of all the public landscaping improvements as part of "Palisades Subdivision" consisting of plant materials, trees, ground cover, irrigation systems, and planting strips, located in the public areas shown as Parcel "A", State Highway 29 (Lincoln Ave.), and only the area between the back of sidewalk and the right-of-way line for Money Lane, as shown on the Assessment Diagram for Palisades Landscape Maintenance District.

This report consists of six parts, as follows:

**EXHIBIT A** - Plans and specifications for the improvements are filed with the City Clerk. Although separately bound, the plans and specifications are a part of this report and are included in it by reference.

**EXHIBIT B** - An estimate of the cost of maintenance for the improvement.

**EXHIBIT C** - An assessment of the estimated cost of maintenance for the improvement on each benefited parcel of land within the assessment district.

**EXHIBIT D** - A statement of the method by which the undersigned has determined the amount proposed to be assessed against each parcel.

**EXHIBIT E** - A list of the names and addresses of the owners of real property within this assessment district, as shown on the last equalized assessment roll for taxes, or as known to the Clerk. The list is keyed to "**EXHIBIT C**" by assessment number.

**EXHIBIT F** - A diagram showing all of the parcels of real property within this assessment district. The diagram is keyed to "**EXHIBIT C**" by assessment number.

**PALISADES LANDSCAPE MAINTENANCE DISTRICT  
CITY OF CALISTOGA**

**EXHIBIT "A"**

Plans and Specifications, though bound separately, are filed by reference as a part of this report.

**PALISADES LANDSCAPE MAINTENANCE DISTRICT  
CITY OF CALISTOGA**

**EXHIBIT "B"**

**Estimate of Costs (Palisades Subdivision)**

Estimated contract cost of \$165.19 per month for 12 months **\$1,982**

**Incidental and Report Costs**

County collection fee	\$ 50
City Administration (12.5%)	248
Engineer-of-work (Preparation of Report)	<u>130</u>
Total Estimated Incidental and Report Costs	<b>\$ 428</b>

**TOTAL ESTIMATED COSTS FOR MAINTENANCE AND REPORT \$2,410**

**Adjustments**

Amount to be Supplemented by City **\$ (870)**

**AMOUNT NEEDED TO BE ASSESSED FOR MAINTENANCE  
OF "PALISADES IMPROVEMENTS \$1,540**

Number of Parcels to be assessed = 44

Estimated total costs per parcel to be assessed = \$35/per lot

**TOTAL ASSESSMENT \$1,540**



**PALISADES LANDSCAPE MAINTENANCE DISTRICT**

**CITY OF CALISTOGA**

**EXHIBIT "C"**

**ASSESSMENT ROLL**

<u>Assessment Number</u>	<u>Amount of assessment</u>	<u>Assessor's Parcel Number</u>
01	\$35.00/each	11-525-003
02	(for 44 lots)	11-525-002
03		11-534-004
04		11-534-003
05		11-534-002
06		11-534-001
07		11-531-009
08		11-531-010
09		11-531-011
10		11-531-013
11		11-531-017
12		11-531-016
13		11-531-015
14		11-531-014
15		11-531-012
16		11-531-008
17		11-531-007
18		11-531-006
19		11-531-005
20		11-531-004
21		11-531-003
22		11-531-002
23		11-531-001
24		11-532-001
25		11-532-002
26		11-532-005
27		11-532-006
28		11-532-007
29		11-532-004
30		11-532-003
31		11-533-001
32		11-533-002
33		11-533-003
34		11-533-004
35		11-533-005
36		11-533-006

37  
38  
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43  
44

11-533-007  
11-533-008  
11-533-009  
11-533-010  
11-533-011  
11-526-003  
11-526-002  
11-526-001

**TOTAL \$1540**

**PALISADES LANDSCAPE MAINTENANCE DISTRICT  
CITY OF CALISTOGA**

**EXHIBIT "D"**

**Basis of Allocation of Assessments**

The total maintenance costs per year were estimated and incidental administrative expenses added to yield a total annual cost. Adjustments were then made to give credit, if any, for the surplus from the previous year and to provide a cash reserve for payments to be made between July 1 and December 31, 2019. The resulting net "Costs to be assessed" were then prorated equally to the 44 lots, so that each lot will share equally in the annual landscape maintenance expenses.

**PALISADES LANDSCAPE MAINTENANCE DISTRICT  
CITY OF CALISTOGA**

**EXHIBIT "E"  
PROPERTY OWNERS LIST**

<b>Assessment Number</b>	<b>Property Owners Name &amp; Address</b>	<b>AP Number</b>
01	Edwardo & Carmen Gonzales 2001 High Rocks Drive Calistoga, CA 94515 Site Address: 2001 High Rocks Drive	11-525-003
02	John & Margaret Barkley 2003 High Rocks Drive Calistoga, CA 94515 Site Address: 2003 High Rocks Drive	11-525-002
03	Asmus-Hampton Family Trust 2005 High Rocks Drive Calistoga, CA 94515 Site Address: 2005 High Rocks Drive	11-534-004
04	Leonard & Sonia Murphy 2007 High Rocks Drive Calistoga, CA 94515 Site Address: 2007 High Rocks Drive	11-534-003
05	Manuel & Josephina Vera 2009 High Rocks Drive Calistoga, CA 94515 Site Address: 2009 High Rocks Drive	11-534-002
06	Maria Marron 2011 High Rocks Drive Calistoga, CA 94515 Site Address: 2011 High Rocks Drive	11-534-001
07	Alain & Laurence Poisson 936 Allison Ave. St. Helena, CA 94574 Site Address: 2010 High Rocks Drive	11-531-009

<b>Assessment Number</b>	<b>Property Owners Name &amp; Address</b>	<b>AP Number</b>
08	Elizabeth Cahill 2008 High Rocks Drive Calistoga, CA 94515 Site Address: 2008 High Rocks Drive	11-531-010
09	Nicolas & Maria Cervantes 2006 High Rocks Drive Calistoga, CA 94515 Site Address: 2006 High Rocks Drive	11-531-011
10	Daniel & Jennifer Herndon 2004 High Rocks Drive Calisotga, CA 94515 Site Address: 2004 High Rocks Drive	11-531-013
11	Rodolfo Gonzales 2015 Table Rock Ct. Calistoga, CA 94515 Site Address: 2015 Table Rocks Ct.	11-531-017
12	Albert Filipelli 2017 Table Rock Ct. Calistoga, CA 94515 Site Address: 2017 Table Rock Ct.	11-531-016
13	Dempsey Family Trust 1601 Voorhees Circle St. Helena, CA 94574 Site Address: 2019 Table Rock Ct.	11-531-015
14	Scott & Vicki Atkinson 2103 Oat Hill Ct. Calistoga , Ca 94515 Site Address: 2103 Oat Hill Ct.	11-531-014
15	Stephen Ruminer 2107 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2107 Oat Hill Ct.	11-531-012

<b>Assessment Number</b>	<b>Property Owners Name &amp; Address</b>	<b>AP Number</b>
16	Molly Morales 2109 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2109 Oat Hill Ct.	11-531-008
17	Kevin Conlan & Bin Yang 2012 Trust 663 5th Avenue San Francisco, CA 94118 Site Address: 2111 Oat Hill Ct.	11-531-007
18	Manual Avila & Lourdes Gonzalez 2113 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2113 Oat Hill Ct.	11-531-006
19	Jim Kensinger, Jr. 4061 Princeton Dr. Santa Rosa, CA 95405 Site Address: 2115 Oat Hill Ct.	11-531-005
20	Elizabeth Tangney 2117 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2117 Oat Hill Ct.	11-531-004
21	Maria Cortez 2119 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2119 Oat Hill Ct.	11-531-003
22	Autumn & Jeremy Grove 2121 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2121 Oat Hill Ct.	11-531-002
23	Isidro & Irma Guzman 2123 Oat Hill Ct. Calisotga, CA 94515 Site Address: 2123 Oat Hill Ct.	11-531-001

<b>Assessment Number</b>	<b>Property Owners Name &amp; Address</b>	<b>AP Number</b>
24	Matthew & Adrian Moye 1026 Hardman Ave. Napa, CA 94558 Site Address: 2110 Oat Hill Ct.	11-532-001
25	Cynthia Johnson 2108 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2108 Oat Hill Ct.	11-532-002
26	John & Biserka Potrebic 2106 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2106 Oat Hill Ct.	11-532-005
27	Jason Toji Living Trust 2104 Oat Hill Ct. Calistoga, CA 94515 Site Address: 2104 Oat Hill Ct.	11-532-006
28	Kevin Eisenberg & Mary Hastings 2101 Table Rock Ct. Calistoga, CA 94515 Site Address: 2101 Table Rock Ct.	11-532-007
29	Matthew & Michelle Freese 2103 Table Rock Ct. Calistoga, CA 94515 Site Address: 2103 Table Rock Ct.	11-532-004
30	Barbara Ronchelli-Olguin 2105 Table Rock Ct. Calistoga, CA 94515 Site Address: 2105 Table Rock Ct.	11-532-003
31	Laurel & Ryan Gourd 2108 Table Rock Ct. Calistoga, CA 94515 Site Address: 2108 Table Rock Ct.	11-533-001

<b>Assessment Number</b>	<b>Property Owners Name &amp; Address</b>	<b>AP Number</b>
32	Tracey Schmidt 2106 Table Rock Ct. Calistoga, CA 94515 Site Address: 2106 Table Rock Ct.	11-533-002
33	Ismael & Guadalupe Apolinar 2104 Table Rock Ct. Calistoga, CA 94515 Site Address: 2104 Table Rock Ct.	11-533-003
34	Homero Vasquez 2102 Table Rock Ct. Calistoga, CA 94515 Site Address: 2102 Table Rock Ct.	11-533-004
35	Salvador & Mercedes Nunez 2020 Table Rock Ct. Calistoga, CA 94515 Site Address: 2020 Table Rock Ct.	11-533-005
36	Jose & Maria Cervantes 2018 Table Rock Ct. Calistoga, CA 94515 Site Address: 2018 Table Rock Ct.	11-533-006
37	Summer Wilms 1660 Aetna Springs Ln. Pope Valley, CA 94567 Site Address: 2016 Table Rock Ct.	11-533-007
38	William & Kathleen Brady 4975 S. Juniper Loop Rd. Prescott, AZ 86303 Site Address: 2014 Table Rock Ct.	11-533-008
39	David Alt P. O. Box 1149 Calistoga, CA 94515 Site Address: 1901 Cinnabar Ct.	11-533-009



<b>Assessment Number</b>	<b>Property Owners Name &amp; Address</b>	<b>AP Number</b>
40	Alfred & Catherine Belluomini 1381 Camino Peral Moraga, CA 94556 Site Address: 1903 Cinnabar Ct.	11-533-010
41	Kelly Giannini 1905 Cinnabar Ct. Calistoga, CA 94515 Site Address: 1905 Cinnabar Ct.	11-533-011
42	Monte Page Trust 1904 Cinnabar Ct. Calistoga, CA 94515 Site Address: 1904 Cinnabar Ct.	11-526-003
43	Ulrike Hermann 1902 Cinnabar Ct. Calistoga, CA 94515 Site Address: 1902 Cinnabar Ct.	11-526-002
44	Mark Fitzgerald & Jamie McMullen 1900 Cinnabar Ct. Calistoga, CA 94515 Site Address: 1900 Cinnabar Ct.	11-526-001

**EXHIBIT F**

**DIAGRAM OF PARCELS**