ENGINEER'S REPORT

CITY OF LOMA LINDA

LANDSCAPE MAINTENANCE DISTRICT NO. 1
ANNEXATION NO. 66
TRACT NO. 16650

FISCAL YEAR 2005/2006

CITY OF LOMA LINDA
SAN BERNARDINO COUNTY, CALIFORNIA
SUBMITTED APRIL 12, 2005

ENGINEER'S REPORT

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A. Assessment Roll

ENGINEER'S REPORT AFFIDAVIT

CITY OF LOMA LINDA
LANDSCAPE MAINTENANCE DISTRICT NO. 1
ANNEXATION NO. 66
TRACT NO. 16650

City of Loma Linda
County of San Bernardino, State of California

This Report describes the Annexation therein including the improvements, budgets, parcels and assessments to be levied for fiscal year 2005/2006, as they existed at the time of the passage of the Resolution of Intention. Reference is hereby made to the San Bernardino Assessor's maps for a detailed description of the lines and dimensions of parcels within the Annexation. The undersigned respectfully submits the enclosed Report as directed by the City Council.

Dated this _____ day of _____ 2005.

MuniFinancial
Assessment Engineer
On Behalf of the City of Loma Linda

By: _____

Bryan Miller, Project Manager

By: _____
Richard Kopecky, Engineer of Work
R.C.E. # 16742

I. INTRODUCTION

BACKGROUND

At the written request of the owner, the City Council has heretofore elected to annex the permanent landscaped areas within the development located east of Bryn Mawr Avenue and south of George Street, known as Tract No. 16650, into Landscape Maintenance District No. 1 as Annexation No. 66.

This Engineer's Report is prepared in compliance with the requirements of Article 4, Chapter 1, of the Landscaping and Lighting Act of 1972 (The Act), which is Part 2, Division 15 of the Cali fornia Streets and Highways Code.

Since the Passage of Proposition 218, Right to Vote on Taxes Act, which added Articles XIII C and XIII D to the California Constitution, new procedures must be followed to levy assessments under the Landscaping and Lighti ng Act.

Proposition 218 requires that all assessments be supported by a detailed Engineer's Report prepared by a registered professional engineer. The report includes the information required by law for the annexation. This annexation is into an existin g assessment district.

The Act provides for the annexation into an existing district for the express purpose of installing, maintaining, and servicing landscaping improvements. The costs associated with the installation, maintenance, and servicing of the improvements may be assessed against those properties which are specially benefited by the installation, maintenance, and servicing. A City may annex territory into an assessment district after complying with the requirements of the Act, and the provisio ns in Proposition 218.

The City initiates proceedings for the annexation by passing a Council Bill (Resolution), which proposes the annexation under the Act. This Resolution also describes the improvements, describes the location of the proposed annexati on, and finally orders an engineer, who is a registered professional engineer, certified by the State of California, to prepare and file a detailed report.

The report prepared by the engineer must include plans and specifications for the improvements. The report must also include an estimate of the costs of the improvements, a diagram, i.e., map of the annexation showing the boundary of the annexation, and an assessment of the estimated costs of the improvements against the parcels or lots which benefit f rom the improvements. Once the report is completed it is presented to the City Council for its review and approval as presented, or it may be modified and approved.

After the report is approved, the City Council may adopt a Resolution of Intention, which declares its intent to annex territory into an assessment district, describes the improvements, and refers to the report for details of the annexation. The Resolution of Intention also sets a time and place for a hearing on the proposed annexation into t he district and the levy of assessments.

In accordance with Proposition 218, the property owners of the assessed parcels, through the use of Assessment Ballots, must approve any new or increased assessments no later than 45 days prior to the public hearing. Approval will be determined by weighing the ballots according to the proportional obligation of the affected property.

At the time of the public hearing, Assessment Ballots will be tallied and this information will be combined with the Engineer's Report for the proposed annexation for approval prior to submitting assessments to the County Auditor/Controller.

Annexation No. 66, Tract No. 16650, is a new residential development. The Annexation is located east of Bryn Mawr Avenue and south of George Stree t. The legal description is as follows: Lot 3 in Block 3 of Mayberry and Whittier Subdivision, in the City of Loma Linda, County of San Bernardino, State of California, as per recorded in Book 12, Page 19 of Maps, in the Office of the County Recorder of said County. Annexation No. 66 is a new annexation with its own distinct assessment rate. Other landscape annexations within the City have their own distinct designation and assessment rate.

II. PLANS AND SPECIFICATIONS

Improvements include landscapi ng and irrigation improvements installed within parkways and slope easements along Bryn Mawr Avenue and George Street and the maintenance and servicing of said improvements.

The proposed improvements for the proposed annexation may be generally described as follows:

The operation, maintenance, and servicing of ornamental structures, landscaping, including trees, shrubs, grass, and other ornamental vegetation, and appurtenant facilities, including irrigation systems located in public places within the boun daries of the annexation. Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation, and servicing of the ornamental structures, landscaping and appurtenant facilities, including repair, removal, or replacement of all or part of any of the ornamental structures, landscaping or appurtenant facilities; providing for the life, growth, health, and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for di sease 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 electricity for the lighting and operation of the ornamental structures, landscaping, and appurtenant facilities, and water for the irrigation and control of the landscaping and the maintenance of any of the ornamental structures, landscaping, and appurtenant facilities.

The proposed improvements within the Annexation and the maintenance of the areas within the tract are to be jointly maintained by an established Homeowners Association (HOA). If for any reason the HOA is unable to maintain the landscaping up to City standards, the City h as the authority to provide the maintenance and assess the property owners for the additional effort.

Improvements to be maintained by the City on an annual basis are as follows:

- Parkways adjacent to Bryn Mawr Avenue and George Street: 10,770 square feet
- Slope easements adjacent to Bryn Mawr Avenue and George Street: 14,142 square feet

  Total: 24,912 square feet

Plans and specifications for the improvements are voluminous and are not bound in this report but by this reference are incorporated and made a part of this report. The plans and specifications are on file in the office of the City Clerk and the City Engineer where they are available for public inspection.

The Annexation Boundaries are the boundaries of Tract No. 16650.

III. ASSESSMENT

All assessed lots or parcels of real property within the annexation are listed on the Assessment Roll, which is on file in the office of the City Clerk and the City Engineer, and is hereby made a part of this report by reference. The Assessment Roll sta tes the net amount to be assessed upon assessable lands within the annexation for fiscal year 2005/2006, shows the fiscal year 2005/2006 assessment upon each lot and parcel within the annexation and describes each assessable lot or parcel of land within the annexation. These lots and parcels are more particularly described on the County Assessment Roll, which is on file in the office of the San Bernardino County Assessor and by reference is made a part of this report.

Commencing with fiscal year 2006/2007, the amount of the assessment for the annexation is proposed to increase each year, based upon the All Urban Consumers Price Index, for the Los Angeles, Orange, Riverside County Area ("CPI"), as determined by the United States Department of Labor, Bureau of Labor Statistics, or its successor. The Engineer shall compute the percentage difference between the CPI for March of each year and the CPI for the previous March, and shall then adjust the existing assessment by an amount not to exceed such percentage for the following fiscal year. Should the Bureau of Labor Statistics revise such index or discontinue the preparation of such index, the Engineer shall use the revised index or a comparable system as approved by the City Council for determining fluctuati ons in the cost of living.

IV. ESTIMATED COSTS OF THE IMPROVEMENTS

The Act provides that the estimated costs of the improvements shall include the total cost of the improvements for the entire fiscal year 2005/2006, including incidental expenses, which may include operating reserves.

The Act also provides that the amount of any surplus, deficit, or contribution be included in the estimated cost of improvements. The net amount to be assessed on the lots or parcels within the annexation is the total cost of installation, maintenance, and servicing with adjustments either positive or negative for reserves, surpluses, deficits, and/or contributions.

The following page contains the estimated costs of the improvements.

CITY OF LOMA LINDA

ENGINEER'S REPORT

LANDSCAPE MAINTENANCE DISTRICT NO. 1
ANNEXATION NO. 66
TRACT NO. 16650

ANNEXATION NO.:	66
DISTRICT NO.:	1
ASSESSABLE LOTS OR PARCELS:	36
TYPE OF LAND USE:	Residential
LANDSCAPED AREA:	Approximately 24,912 square feet

BUDGET ITEM	TOTAL
Direct Costs	
Maintenance Costs	$ 6,740
Utilities	564
Repairs	564
Total Direct Costs	**$ 7,868**
Administrative Costs	
Personnel	$ 4,628
Professional Services	3,094
Insurance	3,094
Deficit	0
Total Administrative Costs	**$ 10,816**
FY 2005/2006 Assessment	
Total Direct/Administrative Costs	$ 18,684
Total Number of Parcels	36
Total Assessment Per Parcel	**$ 519**

Beginning with fiscal year 2005/2006, the established HOA will be responsible for all the landscaping within the interior of the development. The City shall be responsible for all of the landscaping, including the slope landscaping on Bryn Mawr Aven ue and George Street.

V. ASSESSMENT DIAGRAM

The boundary maps/diagrams for the proposed annexation by this reference are incorporated and made a part of this report. The boundary maps/diagrams are on file in the office of the City Clerk and the City Engineer where it is available for public inspection. The following map page is for general location only and is not to be considered the official boundary map on file with the City Clerk.

INSERT SAMPLE ASSESSMENT DIAGRAM

VI. METHOD OF ASSESSMENT

BACKGROUND

The Landscaping and Lighting Act of 1972 provides that assessments may be apportioned among all assessable lots or parcels of land within an assessment district /annexation in proportion to the estimated benefits to be received by each lot or parcel from the improvements. In addition, Proposition 218 requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferr ed on that parcel. The Proposition provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. A special benefit is a particular and distinct benefit over and above general benefits conferred on the public at large, including real property within the district. The general enhancement of property value does not constitute a special benefit.

SPECIAL BENEFIT

Each and every parcel within the proposed annexation receive s a particular and distinct benefit from the improvements over and above general benefits conferred by the improvements.

First, all of the improvements were conditions of approval for the creation or development of the parcels. In order to create or deve lop the parcels, the City required the original developer to install and guarantee the maintenance of landscaping, ornamental structures, and appurtenant facilities to serve the parcels. Therefore, each and every parcel within the proposed annexation coul d not have been developed in the absence of the installation and promised maintenance of these facilities.

In addition, the improvements continue to confer a particular and distinct special benefit upon parcels within the annexation because of the nature of the improvements. The proper maintenance of landscaping and appurtenant facilities specially benefit parcels within the annexation by moderating temperatures, providing oxygenation, attenuating noise from adjacent streets and controlling dust for those properties in close proximity to the landscaping, thereby enhancing the environmental quality of the parcels and making them more desirable. The spraying and treating of landscaping for disease reduces the likelihood of insect infestation and other disea ses spreading to landscaping located throughout the properties within the annexation. The proper maintenance of the landscaping, ornamental structures, and appurtenant facilities reduces property -related crimes (especially vandalism) against properties in the annexation through the abatement of graffiti and the screening of properties within the annexation from arterial streets. Finally, the proper maintenance of landscaping and ornamental structures improves the attractiveness of the properties within th e annexation and provides a positive visual experience each and every time a trip is made to or from the property. All of the above -mentioned contributes to a specific enhancement of the property values of each of the parcels within the annexation.

GENERAL BENEFIT

In addition to the special benefits received by the parcels within the proposed annexation, there are incidental general benefits conferred by the proposed improvements.

The proper maintenance of landscaping and appurtenant facilities with in the annexation will not only control dust from blowing onto properties within the annexation, but will also control dust from blowing onto properties outside of the annexation. Also, the control of erosion will not only protect properties within the annexation, but will also reduce runoff into the City's storm drain system. The proper maintenance of landscaped areas not only facilitates proper drainage of properties within the annexation, but also reduces the potential for flooding damage to properties on the downward slope from the annexation. The spraying and treating of landscaping within the annexation for disease reduces the likelihood of insect infestation and other diseases spreading to landscaping located throughout other properties within the City. Finally, the proper maintenance of landscaping and ornamental structures provides a positive visual experience to persons passing by the annexation. All of the above-mentioned constitutes incidental general benefits conferred by the improvements.

The total benefits are thus a combination of the special benefits to the parcels within the annexation and the general benefits to the public at large and to adjacent property owners. The portion of the total landscape maintenance costs, which are associa ted with general benefits, will not be assessed to the parcels in the annexation, but will be paid from other City Funds.

Because the landscaping is located immediately adjacent to properties within the proposed annexation, and is maintained solely for the benefit of the properties within the proposed annexation, any benefit received by properties outside of the proposed annexation is merely incidental. It is estimated that the general benefit portion of the benefit received from the improvements is less than one (1) percent of the total benefit.

VII. CERTIFICATIONS

REPORT APPROVAL

Approved by the City Council of the City of Loma Linda on the 10 th day of May 2005.

_____
Pamela Byrnes-O'Camb, City Clerk
City of Loma Linda

APPENDIX A
ASSESSMENT ROLL

The Assessment Roll for the annexation is voluminous and is not bound in this report but by reference is incorporated and made a part of this report. The Assessment Roll is on file in t he office of the City Clerk and the City Engineer, where it is available for public inspection.

Reference is made to the San Bernardino County Assessment Roll for a description of the lots or parcels in the annexation.

APN	ANNEX No.	TOTAL ANNEX ASSMT	PER PARCEL AMOUNT
293-053-02	66	$18,684	$ 18,684

Until such time as the above-mentioned parcels subdivide, the existing parcels will be assessed as indicated.

Once the parcels subdivide, the total assessment will be spread over the resulting 36 parc els at a rate of $519 per parcel.

Beginning with fiscal year 2005/2006, the established HOA will be responsible for all landscaping within the interior of the development, unless directed by the City.