File #: 1334-2018, **Version:** 1

To: Honorable Mayor and Members of City Council

From: Jacques R. LaRochelle, Public Works Director

Prepared By: Eric Whan, Deputy Public Works Director - Engineering

TITLE:
Napa Valley Corporate Park Landscape and Lighting Assessment District, Fiscal Year 2018-2019

RECOMMENDED ACTION:
1. Adopt a resolution to order the City Engineer to prepare and file the Preliminary Engineer's Report describing the improvements to be maintained by the Annual and Supplemental Napa Valley Corporate Park Landscape and Lighting Assessment District for Fiscal Year 2018-2019, and determining that the actions authorized by this resolution are exempt from CEQA.

2. Adopt a resolution of intention to approve the Preliminary Engineer's Report, levy and collect assessments, and give notice of a Public Hearing to consider approval of the Annual and Supplemental Napa Valley Corporate Park Landscape and Lighting Assessment District for Fiscal Year 2018-2019, and determining that the actions authorized by this resolution are exempt from CEQA.

DISCUSSION:
In 1984, the City Council authorized the establishment of a Landscape and Lighting District in the Napa Valley Corporate Park to provide for the maintenance of certain landscape improvements in the public streets and easements. In 1997, the City Council authorized the establishment of the Supplemental Napa Valley Corporate Park Landscape and Lighting Assessment District to provide for the increased cost of providing irrigation to landscaping and additional landscape maintenance. The maximum amount of each assessment may be increased annually based on the San Francisco area Consumer Price Index.

In 2009, a Property Owners Association (POA) was formed pursuant to Amended and Restated Declaration of Covenants and Restrictions for the Corporate Park recorded in April 2009. The POA was formed for the benefit of the individual lot owners within the Corporate Park as well as to assume the responsibility for carrying out the maintenance obligations required by the District.

Through an agreement with the City of Napa, the POA has taken over the day-to-day operations for all aspects of the maintenance obligations beginning in Fiscal Year 2010-2011. The City has reduced the District assessment to a level that generates only enough revenue to pay for administrative costs to keep the District on the tax roll. The POA increased its assessments on property owners to a level that would fund all aspects of the maintenance obligations as well as necessary reserves.

The District still remains “on the books” with the ability to increase assessments and take over landscape maintenance duties in the event the POA was no longer able or willing to carry out the maintenance obligations required within the public right of way.

Each year, the City Council is required to take the necessary actions to receive the Engineer’s Report, hold the protest hearings, and levy the assessments. The Preliminary Engineer’s Report has been prepared and concludes that the current assessment escalated by the San Francisco area Consumer Price Index (C.P.I.) is sufficient to cover the anticipated FY2018-2019 costs for maintenance of the landscape and lighting for this assessment district should the District resume such duties pursuant to the Agreement.

In January 2018, the Bureau of Labor Statistics replaced the San Francisco-Oakland-San Jose CPI with the San Francisco-Oakland-Hayward index (the “New Index”), the CPI increase in FY2018-2019 reflects the change in CPI as of February from this New Index. The New Index will be used moving forward as it is the closest comparable index to the previously existing San Francisco-Oakland-San Jose index, and this New Index is the only Northern California index in existence currently.

Approval of the Resolution of Intent will set the date and time for the Public Hearing, scheduled to occur at the City Council Meeting on June 5, 2018. The Notice of the hearing will be processed pursuant to provisions of Section 22626(a) of the Streets and Highways Code. The notice shall be published once in the local paper at least ten (10) days before the date of the hearing.

FINANCIAL IMPACTS:
There is no financial impact to the General Fund. Pursuant to the Agreement between the Napa Valley Corporate Park POA and the City of Napa, the POA shall collect association dues sufficient to maintain the landscape and lighting features specified in the District formation documents. The City shall set the annual rate and collect only enough funds to pay for administrative costs to maintain the District on the tax roll and provide general administrative oversight of the District. Sufficient funds have been allocated in the Napa Valley Corporate Park Assessment account (24106) to maintain a security deposit/reserve of $45,000 to pay for restart costs associated with reactivation of maintenance duties by the District should the POA elect to not carry out the landscape maintenance.

CEQA:
City Staff recommends that the City Council determine that the Recommended Action is exempt from CEQA pursuant to CEQA Guidelines Section 15301(h) which exempts maintenance of existing landscaping and lighting.

DOCUMENTS ATTACHED:
ATCH 1 - Resolution for Engineer’s Report Preparation with EX A
ATCH 2 - Resolution for Public Hearing
EX A - NVCP Preliminary Engineer’s Report

NOTIFICATION:
NBS
Jay Spangenberg, Advanced Property Management
Bob Breitenstein, Advanced Property Management
Law Office of Dennis Klimmek