



**EAST BAY REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING
AGENDA STAFF REPORT**

DATE May 7, 2024

TITLE Adoption of Resolution of Intention to Order Improvements, Grant Preliminary Approval to the Draft Engineer's Report, Establish Date of Public Hearing and Instruct the Clerk of the Board to Provide Appropriate Public Notice of Hearing: East Contra Costa County Landscaping and Lighting Assessment District (ECCC-I LLD)

DIVISION Finance and Management Services

FROM Deborah Spaulding, Assistant General Manager of Finance & Management Services/CFO

APPROVED Sabrina Landreth, General Manager 

RECOMMENDATION

The General Manager recommends that the Board of Directors:

1. Adopt a Resolution of Intention to Order Improvements;
2. Grant preliminary approval of the attached draft Engineer's Report for the proposed operation of the East Contra Costa County Landscaping and Lighting Assessment District (ECCC-I LLD) for fiscal year 2024/2025 (7/1/2024 - 6/30/2025);
3. Establish Tuesday, the 18th day of June 2024, at the hour of 1:00 p.m. as the time to conduct a public hearing and instruct the Clerk of the Board to provide appropriate public notice of the hearing, as required by the Landscaping and Lighting Act of 1972.

BACKGROUND

When the East Contra Costa County area was annexed to the Park District in 1981, the annexation occurred without corresponding redistribution of tax revenues to the Park District. The East Contra Costa County Landscaping and Lighting Assessment District (ECCC LLD) was formed on December 17, 1991 to address this issue and provide funding for operation and maintenance of regional parks, open space and trail operation in East Contra Costa County.

The ECCC LLD was formed prior to the passage of Proposition 218 and is thus considered a "grandfathered assessment." As required by Proposition 218, 67.8% of voters in the East Contra Costa County area reaffirmed the continuation of the ECCC LLD in 1996.

ANALYSIS

The assessment rate has remained unchanged since the adoption of the ECCC LLD Assessment District in 1991. Single family units on a single parcel are assessed at \$19.70 per unit. For 2024/2025

there are 41,410 single family units, as well as 614 units with between two- and four- residential units on a single parcel, which are assessed at this rate. Other multi-residential units are assessed at proportionately reduced rates. Apartments of five units or more are assessed at 0.5 units per individual unit, or \$9.85. There are 2,061 multiple living units assessed at this rate. Hotels, motels and mobile home parks are subject to assessment at a rate of 0.25 units per individual living unit, or \$4.92 per unit. In fiscal year 2024/25 there are 1,028 such units.

At the public hearing on June 18, 2024, the Board will receive public comments and then determine whether the Draft Engineer's Report (work program, budget and rate of assessment) is to be approved.

The requested Board action herein also provides instructions to the Clerk of the Board to publicize the details of the public hearing, in accordance with requirements established in the State statute.

Over time, additional fund balance has accumulated in the East Contra Costa County LLD. Staff will be recommending that \$50,000 of these funds be appropriated via Board action on June 18, 2024 for a habitat restoration & non-native species grasslands eradication project at Vasco Hills.

FISCAL IMPACT

Assessment revenues, disregarding delinquencies, totaling \$853,054 are expected to be raised from the ECCC LLD proceeding. These revenues are anticipated in the 2024 and 2025 calendar-year budgets and are restricted to improve, maintain and protect parkland, open space, trails and related access within the boundaries and provisions as described in the attached draft Engineer's Report. An appropriation of \$50,000 from ECCC LLD (Fund 221) that will utilize existing fund balance will be requested at the June 18th meeting for a habitat restoration and non-native grasslands eradication project at Vasco Hills.

ATTACHMENTS

Attachment A: Draft 2024/2025 Engineer's Report for East Contra Costa County Landscaping and Lighting Assessment District



**EAST BAY REGIONAL PARK DISTRICT
RESOLUTION NO. 2024 – 05 -
MAY 7, 2024**

**ADOPTION OF RESOLUTION OF INTENTION TO ORDER IMPROVEMENTS,
GRANT PRELIMINARY APPROVAL TO THE DRAFT ENGINEER’S REPORT,
ESTABLISH DATE OF PUBLIC HEARING AND INSTRUCT THE CLERK OF THE
BOARD TO PROVIDE APPROPRIATE PUBLIC NOTICE OF HEARING: EAST
CONTRA COSTA COUNTY LANDSCAPING AND LIGHTING ASSESSMENT
DISTRICT (ECCC-I LLD)**

WHEREAS, East Contra Costa County Landscaping and Lighting Assessment District (ECCC LLD) was established by the Board of Directors of East Bay Regional Park District on December 17, 1991, and will complete its current fiscal year of operation on June 30, 2024; and

WHEREAS, the fiscal year 2023/2024 maintenance and operation program for ECCC LLD is in the process of implementation; and

WHEREAS, operation and maintenance funds are required by the Park District in fiscal year 2024/2025 for ECCC LLD to maintain parklands, open space, trails and related parkland access; and

WHEREAS, the Board of Directors of the Park District desires to take the necessary steps, including the adoption of resolutions and the required public hearing, to continue operation of ECCC LLD in fiscal year 2024/2025 (7/1/2024 - 6/30/2025) in the manner set forth in the report presented this date; and

WHEREAS, on March 19, 2024 the Board of Directors approved the resolution initiating proceedings and ordering filing of the annual report for the ECCC LLD (Resolution No. 2024-03-059);

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby receives and preliminarily approves the draft Fiscal Year 2024/25 Engineer's Report for the East Contra Costa County Landscaping and Lighting Assessment District (ECCC LLD) which describes work to be performed in fiscal year 2024/2025, the budget for the fiscal year, the assessment roll and the proposed assessment rate as presented to the Board on May 7, 2024; and

BE IT FURTHER RESOLVED that it is the intention of the Board of Directors to levy and collect assessments within ECCC LLD during fiscal year 2024/2025. The area of land to be assessed is the territory included within the Liberty Union High School District of Contra Costa County, as constituted in calendar year 1981. The actions taken to levy and collect assessments are pursuant to the State of California Landscaping and Lighting Act of 1972 including subsequent amendments and the provisions of State Proposition 218; and

BE IT FURTHER RESOLVED, that the Board of Directors hereby sets Tuesday, June 18, 2024, at the hour of 1:00 p.m. as the date and time for a public hearing to review the draft

Engineer's Report and to determine the work program and the assessment rate for fiscal year 2024/2025; and

BE IT FURTHER RESOLVED that the Board of Directors hereby instructs the Clerk of the Board to proceed with and provide the legally-required public notice defining the purpose of the public hearing and the date and location of the hearing; and

BE IT FURTHER RESOLVED, that the General Manager and the Chief Financial Officer are hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary and appropriate to accomplish the intentions of this resolution.

Moved by Director _____, and seconded by Director _____, and adopted May 7, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: