



**Landscape & Lighting Assessment District No. 21-1
(Deer Ridge Landscape Improvements)
Frequently Asked Questions
July 22, 2021**

The City of Brentwood (“City”) has received several questions regarding the proposed Landscape and Lighting Assessment District No. 21-1 (Deer Ridge Landscape Improvements) (“LLAD” or “LLAD No. 21-1”). A list of the questions received and responses to each follow for your reference:

1. Why are Deer Ridge property owners being asked to vote in support or opposition to the formation of the LLAD?

The landscaping of certain sites located throughout the Deer Ridge development are currently private maintenance responsibility and these areas are not being maintained to City standards. The City has received several requests from property owners within the Deer Ridge development to convert these sites, which include the Deer Ridge entry area, from private maintenance responsibility to City maintenance responsibility. In response to these property owner requests; the City Council directed City staff to prepare the analysis on the costs to install and maintain landscape improvements with a secure funding source from the community benefiting from the improvements. For this reason, the City is proposing to form LLAD No. 21-1 that requires a majority vote (weighted by assessment amount) for approval.

2. What are Landscape and Lighting Assessment Districts?

Landscape and Lighting Assessment Districts (“LLAD”) are funding mechanisms used by public agencies throughout the State. LLADs are authorized by the California State Statute Streets and Highways Code, Division 15, Part 2, Chapter 1 – commencing with section 22500. Improvements that can be maintained under a LLAD generally include, streetlights, landscape, parks, medians, and open space.



3. What type of landscaping will be installed if the LLAD is approved?

The proposed landscape improvements include 14 sites that will be located throughout the Deer Ridge neighborhood. The location of each site and a general description of the proposed improvements to be installed include:

- **Landscape Site No. 1** – Renovation of existing entry monument, decorative lighting, and fountains. Landscape will include turf, shrubs, groundcover, and trees in the vicinity of the entry monuments.
- **Landscape Site Nos. 2, 3, 5, 6, 7, 10, 11, 12 and 13** – Parkway strips (between sidewalk and curb) shall be improved with new irrigation and landscaping to include shrubs, groundcover, and trees.
- **Landscape Site Nos. 4, 8, 9, and 14** – Small isolated parkway strips (between sidewalk and curb) shall be improved with decorative pavers.



To view additional details regarding the specific locations that are to be improved, visit the City's website at https://brentwoodca.gov/gov/parks/news/deer_ridge.asp.



4. What will the proposed landscape improvements costs?

- There are approximately \$102,600 in upfront project costs. The upfront project costs include funding for the initial design of the improvements, development of the cost estimate to construct and maintain the improvements, the legal and assessment engineering costs to form the LLAD, and the preparation and mailing of the notices and ballots to affected property owners. **The City will be paying for the upfront project costs and these costs will not be repaid by the LLAD, if approved.**
- There are approximately \$737,220 in construction costs. The construction costs include funding the construction and installation and materials related to the proposed improvements. If the LLAD is approved, the construction costs will be funded through a zero interest internal loan from the City that will be repaid over a 10-year period by the annual LLAD assessments.
- Annual maintenance costs are estimated to be \$25,435 in 2022 dollars. The maintenance costs include funding the maintenance and upkeep associated with all landscape areas, utilities, and related administration costs to manage and oversee the LLAD. If approved, the maintenance costs will be funded through the annual assessments.

5. How do I calculate my maximum annual assessment?

There are two (2) components to the proposed **maximum** annual assessment: a Construction Component and a Maintenance Component.

- The Construction Component is \$66.78 per single-family home per year. The Construction Component may not increase annually, may be less based on actual costs, and may only be levied for a 10-year term and will cease no later than after the FY 2031-32 levy.
- The Maintenance Component is \$23.04 per single-family home per year. The Maintenance Component will increase annually by the greater of the Consumer Price Index (CPI), or 2%, so the annual maintenance assessment revenues keep pace with increases in maintenance costs due to inflation.
- The Total Fiscal Year 2022/23 Maximum Annual Assessment is \$89.92 per single-family home per year. Please note, each fiscal year commencing with Fiscal Year 2023/24, the



Maintenance Component of the maximum annual assessment may increase by the greater of CPI or 2%.

- If the formation of the LLAD is approved, the assessments shall be placed on property tax bills commencing with Fiscal Year 2022/23 and paid at the same time and in the same manner as ordinary ad valorem property taxes.

6. Can the City levy more than the maximum annual assessment?

No, under no circumstance may the City levy more than the maximum annual assessment rates (including applicable escalator) in any year.

7. Can the City levy less than the maximum annual assessment?

Yes, the City may levy less than the maximum annual assessment rates.

Should actual upfront construction costs of the proposed improvements be less than the current estimate, all property owners would be levied proportionately less than the maximum for the Construction Component.

Annually, the City goes through an extensive budgeting process for all the City's LLADs which includes reviewing existing contracts, historical expenditures, and fund balances to develop budgets for the subsequent fiscal year. Should the City determine the revenue needed from the LLAD for maintenance is less than the maximum that can be collected, all property owners would be levied proportionately less than the maximum for the Maintenance Component.

8. What are Proposition 218 Ballot Proceedings and how will the City determine if the LLAD has the required support from property owners??

Proposition 218 is part of the California State Constitution. It requires that to approve the formation of a LLAD and to levy annual assessments, the City must conduct a Proposition 218 ballot proceeding of the affected property owners.



Proposition 218 requires the City to mail a notice and ballot to each affected property owner (not each resident or registered voter, etc.) subject to the proposed annual assessment a minimum of 45 days prior to the statutory required public hearing.

The proposed assessment shall not be imposed if the ballots submitted against the assessment exceed the ballots in favor of the assessment, with ballots weighted according to the proportional financial obligation of the affected property. Meaning, one vote for each dollar of assessment.

9. How many property owners were mailed a notice and ballot and what percentage of the ballots are weighted by homeowners verse other property owners in the LLAD?

There were 1,058 notices and ballots mailed to affected property owners. Single-family homes represent approximately 97.6% of the assessment votes, weighted according to the proportional financial obligation of the affected properties.

10. What if I lose or misplace my ballot?

If a ballot is lost or misplaced prior to August 24, 2021, a replacement ballot can be obtained by contacting our consultant, Francisco & Associates at (925) 867-3400. In addition, City staff will be stationed outside of City Council Chambers on August 24, 2021 during the City Council Meeting and will have replacement ballots available that can be completed by property owners and provided to City staff prior to the close of the public input portion of the public hearing on August 24, 2021, although the meeting will be conducted virtually on Zoom and not held in the City Council Chambers. Under no circumstance, can ballots be accepted by the City by mail after the close of business on August 24th, 2021 or if hand delivered, ballots must be returned to City Staff's station outside of City Council Chambers the night of August 24th, 2021 prior to the close of the public input portion of the public hearing.

11. What happens if I do not return my ballot?

If a property owner's ballot is not returned, it cannot be tabulated and therefore will not be considered when determining whether the ballots returned support or oppose the LLAD assessment.



12. What is the remaining LLAD formation schedule and when will results be declared?

On August 24, 2021, the City Council will open the public hearing and allow for public testimony on the LLAD item. In addition, all ballots must be received by the City on August 24, 2021. Mailed ballots must be delivered (not postmarked) to the City by the close of business on August 24, 2021. Ballots may also be delivered to City Council Chambers the evening of the City Council meeting (even with the meeting conducted virtually on Zoom), as long as ballots are received by the City prior to the close of the public input portion of the public hearing.

On August 25, 2021, City's Assessment Engineer Consultant will tabulate all ballots returned in City Council Chambers. Any interested members of the public may view the ballot tabulation.

On September 14, 2021, City staff will declare the results of the Proposition 218 Ballot Proceedings. If approved, the City Council will form the LLAD and the City will proceed with the project. If a majority protest exists, then the LLAD proceedings will be abandoned.

13. If the LLAD is approved, when will the first levy be placed on my annual property tax bill?

If property owners approve the formation of LLAD No. 21-1, then the first year the City may levy an annual assessment is Fiscal Year 2022/23. Meaning, the first assessment would first appear on your annual property tax bill installments due in December 2022 and April 2023.

14. If the LLAD is approved when will construction begin and the improvements be completed?

If the City receives majority approval from the benefiting property owners, construction of the landscape improvement is expected to begin no later than 1st quarter of 2022 and be completed in June 2022.

15. What happens to the private responsibility landscape areas in Deer Ridge if the LLAD is not approved by property owners?



If the LLAD formation is not approved by property owners, the City will not have the required funding to transition the landscape areas from private to City maintenance responsibility areas. For additional details related the City's landscape requirements and enforcement options, a City Memorandum related to the Deer Ridge Landscape Parcels dated July 21, 2021, can be located on the City's website:

https://brentwoodca.gov/gov/parks/news/deer_ridge.asp

16. To whom may I ask questions and where may I find additional information about the project and the proposed LLAD?

For additional information regarding the proposed landscape improvements, please contact City Park and Recreation Staff:

- Aaron Wanden, Parks and Maintenance Manager at (925) 516-5111 or awanden@brentwoodca.gov
- Joe Odrzywolski, Parks and Maintenance Planner at (925) 516-5125 or jodrzywolski@brentwoodca.gov

For additional information regarding the assessments, voting procedures or process, please contact the City's Assessment Engineering Consultants:

- Eduardo Espinoza, P.E., Principal at (925) 867-3400 or ede@franciscoandassociates.com
- Brian Brown, Principal at (925) 867-3400 or brianb@franciscoandassociates.com

Additional information regarding the proposed Deer Ridge project and LLAD No. 21-1 can be found on the City's website: https://brentwoodca.gov/gov/parks/news/deer_ridge.asp.