



**GARDEN GROVE**

## **CITY OF GARDEN GROVE**

**ENGINEER'S REPORT**

**STREET LIGHTING DISTRICT NO. 99-1**

**FISCAL YEAR 2019-20**

**ORANGE COUNTY, CALIFORNIA**

**May 1, 2019**

*PREPARED BY*



**Harris & Associates**

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*Irvine, CA 92614*

[www.weareharris.com](http://www.weareharris.com)

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# ENGINEER'S CERTIFICATION

**AGENCY:** THE CITY OF GARDEN GROVE

**PROJECT:** STREET LIGHTING DISTRICT NO. 99-1

**TO:** THE CITY COUNCIL OF THE  
CITY OF GARDEN GROVE  
STATE OF CALIFORNIA

## ENGINEER'S REPORT FOR FISCAL YEAR 2019–20

The preparation of this Annual Engineer's Report ("Report") is in conformance with the obligation of the City Council for the annual levy of assessments within the Street Lighting District No. 99-1 of the City of Garden Grove to provide lighting services upon each lot or parcel of land in the district in proportion to the estimated benefit to be received by each such lot or parcel of land for Fiscal Year 2019–20. Services will be provided through June 30, 2020.

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 Division 15 of the Streets and Highways Code of the State of California, commencing with Section 22500) ("Act"), Article XIID, Section 5(a) of the State of California Constitution, and in accordance with the City of Garden Grove's Resolution being adopted by the City Council for:

### **STREET LIGHTING DISTRICT NO. 99-1**

(Hereinafter referred to as the "District"),

I, K. Dennis Klingelhofer, authorized representative of the District, the duly appointed Assessment Engineer submit the following Report which consists of the following four (4) parts and Appendices:

#### **PART I**

**Overview:** Provides the background and reason for the District.

#### **PART II**

**Plans and Specifications:** Plans and specifications for the existing and ultimate improvements are as set forth on the lists thereof, attached hereto, and are on file in the office of the City Engineer and are incorporated herein by reference.

**PART III**

**Cost Estimate:** An estimate of the costs of the maintenance and/or servicing of the existing and ultimate improvements for Fiscal Year 2019-20, including incidental costs and expenses in connection therewith.

**PART IV**

**Method of Apportionment of the Assessments:** The method of apportionment of assessments indicates the proposed assessment of the net amount of the costs and expenses of the maintenance and/or servicing of the existing and ultimate improvements to be assessed upon the several lots and parcels of land within the District in proportion to the estimated special benefits to be received by such lots and parcels.

**Appendices**

Appendix A – Assessment Diagram

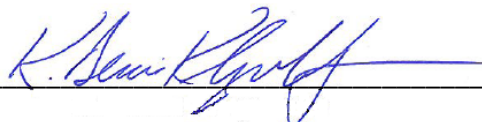
Appendix B – Assessment Roll

In conclusion, it is my opinion that the costs and expenses of the District have been assessed to the lots and parcels within the boundaries of the District in proportion to the estimated benefits to be received by each lot or parcel from the services provided and in conformance with the assessment methodology adopted by the City Council for the levying of assessments.

DATED: May 1, 2019



**Harris & Associates**



K. Dennis Klingelhofer, P.E., Assessment Engineer  
R.C.E. No. 50255  
Engineer of Work  
County of Orange  
State of California

## **PART I – OVERVIEW**

This Report is prepared pursuant to the City Council action taken at their regular meeting ordering a Report for the Street Lighting District No. 99-1 and the levy of assessments for the Fiscal Year commencing July 1, 2019 and ending June 30, 2020. This Report is prepared in compliance with the requirements of Proposition 218 as stated in Articles XIIC and XIID of the California Constitution (hereinafter referred to as “Articles”), and the Landscaping and Lighting Act of 1972, being Part 2 of Division 15 of the California Streets and Highways Code (hereinafter referred to as “Act”).

### **Background**

The City of Garden Grove currently levies an assessment for street lighting on parcels throughout the City through its Citywide Street Lighting District (hereinafter referred to as “Citywide SLD”). Since the formation of the Citywide SLD, two non-contiguous residential areas have been annexed and incorporated into the City pursuant to LAFCO Annexation No. 141. These two areas were previously provided local and arterial street lighting by the County of Orange. The City is now required to provide resources in order to maintain the current levels of service for both local and arterial lighting for these two areas. Zone 1 is assessed for local and arterial lighting within this District. Zone 2 is assessed for local lighting only in this District, while the arterial lighting is covered by the Citywide SLD.

The assessment methodology contained herein incorporates an analysis of general benefit and special benefit as approved by the City Council at the time the District was formed. The assessments to be levied on each property do not exceed the reasonable cost of proportional special benefit conferred on each parcel from the funded operation and maintenance of street light improvements.

In addition to LAFCO Annexation No. 141, six owners of residential property, in a contiguous area of the City currently within Citywide SLD and assessed for arterial lighting only, petitioned the City for the installation and maintenance of a single local street lamp to benefit their properties. Therefore, the annual costs of maintaining the local and arterial lighting that benefit these property owners is to be assessed annually through the District.

## **PART II – PLANS AND SPECIFICATIONS**

The facilities, which have been constructed within the City of Garden Grove, and those which may be subsequently constructed, will be serviced and maintained as generally described as follows:

The improvements to be operated, maintained and serviced by the District are that portion of the local and arterial street lighting system of the City of Garden Grove that confers special benefit to the District parcels. The specific location of both local and arterial street light improvements within the City can be found on the Street Light Inventory Maps maintained by the City and on file in the office of the City Engineer where they are available for inspection.

Article XIID of the California Constitution defines “maintenance and operation expenses” as “the cost of rent, repair, replacement, rehabilitation, fuel, power, electrical current, care and supervision necessary to properly operate and maintain a permanent public improvement”. The District funding includes, but is not limited to, the removal, repair, replacement or relocation of light standards, poles, bulbs, fixtures and all appurtenances, electrical energy, supplies, and engineering and incidental costs relating to the operation and maintenance of the local and arterial lighting benefiting the District parcels.

The local street lighting improvements to be operated, maintained and serviced by the District include all Edison owned street lights within the right-of-way of the local public streets located within the boundaries of the District as displayed in Exhibit A. These lights are all within close proximity to the District parcels and provide special benefit to such parcels.

The arterial street lighting improvements to be operated, maintained and serviced by the District include a reasonable allocation of all Edison-owned street light operation, maintenance and servicing on the major arterial streets within the City that provide special benefit to Zone 1. Arterial lighting for parcels within Zone 2 is currently provided by an assessment through the Citywide SLD and are not part of the District improvements.

## PART III – COST ESTIMATE

The City's budget for the installation, operation, maintenance and servicing of lighting details the estimated costs for Fiscal Year 2019-20 as available at the time of preparation of this Report, and includes engineering fees, legal fees, printing, mailing, postage, publishing, and all other related costs identified with the District proceedings.

Lighting Cost			Zone 1	Zone 2	Total
<b>Lamp Size</b>	<b>Number</b>				
4,000 lumen LED bulbs	43	@ \$127.68 per year	\$5,380.43	\$109.80	\$5,490.24
Engineering & Incidentals		(1)	\$818.97	\$16.71	\$835.68
<b>Cost Local Lighting</b>			<b>\$6,199.40</b>	<b>\$126.52</b>	<b>\$6,325.92</b>
Arterial Lighting Cost		(2)	\$3,789.28	\$0.00	\$3,789.28
Less: City Contribution		(3)	(\$1,250.46)	\$0.00	(\$1,250.46)
Engineering & Incidentals		(1)	\$660.00	\$0.00	\$660.00
<b>Cost Arterial Lighting</b>			<b>\$3,198.82</b>	<b>\$0.00</b>	<b>\$3,198.82</b>
Total Lighting Cost			\$9,398.21	\$126.52	\$9,524.74
District Engineering		(4)	\$1,530.00	\$20.60	\$1,550.60
General fund Contribution			(\$1,180.45)	(\$15.89)	(\$1,196.34)
<b>Total 2019-20 District Expense Budget</b>			<b>\$9,747.78</b>	<b>\$131.22</b>	<b>\$9,879.00</b>
Cost per assessed parcel					
		SINGLE FAMILY	\$28.71	\$17.74	
		CONDOS/TOWNHOMES	\$23.33		
		MULTI-FAMILY	Varies		
		VACANT	Varies		

- (1) Engineering and Incidentals include, but are not limited to, City Engineering department maintenance.
- (2) Gail Lane property owners pay for arterial lighting through the Citywide SLD.
- (3) City contribution represents 33% of arterial lighting cost relating to general benefit.
- (4) District engineering includes the cost of compliance with Proposition 218.

The Edison-owned street lights were converted to light emitting diode (LED) last year and the City owned lights are anticipated to be converted to LED in July 2019.

The 1972 Act requires that a special fund be set-up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next Fiscal Year.



## **PART IV – METHOD OF APPORTIONMENT**

### **General**

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment Districts by cities for the purpose of providing certain public improvements which include the maintenance and servicing of street lights, traffic signals, landscaping and park and recreational facilities.

Section 22573, Landscaping and Lighting Act of 1972 requires that maintenance assessments be levied according to benefit rather than according to assessed value. This Section states:

"The net amount to be assessed upon lands within an assessment District may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."

### **Zones of Benefit**

The Act permits the designation of zones of benefit within any individual assessment District if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax."

The District has two zones of benefit which were established at the time of formation to apportion the cost of the District improvements based on proportional special benefit conferred on each property in the zones. The District provides Zone 1, as described below, both local and arterial lighting benefits and provides Zone 2 local lighting benefit only. Zone 2, as described below, is currently assessed for arterial lighting through the Citywide SLD.

#### **Zone 1**

Zone 1 of the District is comprised of property within LAFCO Annexation No. 141 that incorporates into the City boundary two non-contiguous residential areas. The first annexation area includes 290 parcels in the area northeast of the corner of Dale Street and Lampson Avenue. The second annexation area includes 54 parcels on the west side of Fairview Avenue, south of Trask Avenue. These areas are displayed on separate maps as Appendix A.

## **Zone 2**

Zone 2 includes 6 single-family residential parcels located on Gail Lane, north of Chapman Avenue. This area of the City was without local street lighting, and the property owners of the parcels petitioned the City for the installation, operation, maintenance and servicing of a single local street light on Gail Lane that benefits their properties.

## **Boundaries of the District**

The boundaries of Street Lighting District No. 99-1 are three non-contiguous residential areas in the City and are shown on the maps on file in the office of the City Engineer and attached as Appendix A.

In addition, Article XIII D Section 4 of the State Constitution requires that a parcel's assessment may not exceed the reasonable cost of the proportional special benefit conferred on that parcel. Section 4 provides that only special benefits are assessable and the City must separate the general benefits from the special benefits.

## **Methodology**

### **General Benefit**

The City recognizes that a portion of the maintenance, operation and servicing of the City's arterial lighting improvements funded by the District provide a general benefit to the public at large. City traffic studies have shown that 33% of the City traffic flow on arterial streets is related to through traffic from surrounding regional areas. This pass-through traffic is an appropriate measure of the general benefit provided by the maintenance, operation and servicing of arterial lights. Therefore, the City is making a contribution of funds to the District equal to or in excess of the 33% of the estimated arterial lighting costs for the District. This amount is shown in the Estimated District Budget as the "City Contribution".

### **Special Benefit**

Articles XIII C and XIII D of the California Constitution define special benefit as "a particular and distinct benefit over and above general benefits conferred on real property located in the District or to the public at large. General enhancement of property value does not constitute 'special benefit'." The method of assessment for each Zone analyzes the special benefit each parcel receives from the improvements funded in each Zone. The costs are spread to the individual parcels based on their assigned Assessment Units.

Assessments for the District are being levied to provide funding for the following:

1. The operation, maintenance, and servicing of local street lights in close proximity, within approximately 90 feet, to certain lots and parcels which provide a direct special benefit to such lots or parcels.
2. The operation, maintenance, and servicing of arterial street lights which provide a special benefit to all the assessable parcels within the District whether or not such parcels are in close proximity to such lighting.

### **Local Lighting Apportionment**

The special benefit from operation, maintenance and servicing of local street lighting within the District only accrues to those parcels within the District located in areas where such lighting is provided. Therefore, parcels without local street lighting are not assessed for the cost of providing such lighting. Generally, a parcel is determined to have local lighting provided if a street light is within approximately 90 feet of the parcel.

The benefit from local lighting can be measured by increased safety to people and property, as well as the increased availability of lighting. In order to establish the proportionate share of local lighting benefit to any parcel of land in relation to the total special benefits to be received by local lighting, it is necessary to establish a benchmark to relate that one parcel to all others. The benchmark is called the Assessment Unit (AU). The District uses the Single Family Residence (SFR) as the benchmark AU. All other land uses will be compared to the benchmark of the Single Family Residence to gain a comparative Assessment Unit based on population and parcel size as described below. For parcels with local lighting, there exists the core benefit of available lighting for every parcel in the District near a street light. This "Availability" benefit is apportioned to parcels with local lighting in the District on a per parcel basis, and has been assigned one-fourth of the SFR Assessment Unit. In addition to this benefit, parcels in the District benefit from improved safety related to people who own or use the parcels in the District ("Safety to People"), which has been assigned one-half of the SFR Assessment Unit. Parcels also benefit from improved safety related to the parcel itself ("Safety to Property"), which has been assigned one-fourth of the SFR Assessment Unit. The three benefit factors are then added together for a total of 1 AU per SFR.

$$\begin{array}{ccccccc} \text{Safety to People Benefit} & + & \text{Safety to Property Benefit} & + & \text{Availability Benefit} & = & \text{SFR Benefit} \\ 1/2 \text{ AU} & & 1/4 \text{ AU} & & 1/4 \text{ AU} & & 1 \text{ AU} \end{array}$$

**Safety to People**

The Safety to People benefit results in a special benefit to residential parcels because local street lighting improves traffic safety during ingress and egress to the property and creates a deterrent to crime against people on the property. Vacant, non-developable properties within the District are not perceived to receive Safety to People benefit.

The Safety to People benefit is apportioned to properties in the District based on the following demographic population information for residential uses as provided by the City of Garden Grove Planning Department, as shown in Table 1.

**TABLE 1 - POPULATION DEMOGRAPHICS (SAFETY TO PEOPLE)**

Land Use Description	Population per Unit	Rounded % of SFR	Safety to People Benefit (1/2)
Single Family Residential (SFR)	3.51/unit	100%	0.50
Condominium	3.02/unit	85%	0.43
Multiple Family Residential	3.38/unit	95%	0.45
Vacant	0/parcel	0%	0.00

**Safety to Property**

The Safety to Property benefit results in a special benefit to both residential and vacant non-developable parcels because local lighting operation, maintenance and servicing provides for the protection of buildings and personal property against crimes such as theft and vandalism. The Safety to Property benefit is apportioned to properties in the District based on relative property size as available from the City of Garden Grove Planning Department for residential uses.

For all residential uses, an average density has been used to determine the per unit parcel size. Vacant uses are related to the Residential uses utilizing the Single Family Residential average density of 7,200 square feet as shown in Table 2.

**TABLE 2 - AVERAGE DENSITY PER LAND USE (SAFETY TO PROPERTY)**

Land Use Description	Square Feet per Unit	Rounded % of SFR	Safety to Property Benefit (1/4)
Single Family Residential (SFR)	7,200 sf/unit	100%	0.25
Condominium	3,300 sf/unit	46%	0.12
Multiple Family Residential	2,600 sf/unit	36%	0.09
Vacant	7,200 sf/unit	100%	0.25

In determining the benefit for local lighting, larger properties do not necessarily receive benefit in proportion to their larger size, because a large share of the property may not be protected by the light on the street. In addition, these properties would typically have to provide their own privately funded lighting system in order to afford protection to their entire lot. To account for this, Safety to Property benefit points per unit will only be assigned up to 20 dwelling units or 20 times 7,200 square feet (144,000 square feet) for Vacant properties.

Table 3 shows the breakdown of the Assessment Unit benefit points assigned to each land use for those properties located in areas with local street lights.

**TABLE 3 - LOCAL LIGHTING BENEFIT FACTORS**

Land Use Description	Safety to People	Safety to Property	Availability Benefit	Total AU's
Single Family Residential (SFR)	.50/unit	.25/unit	.25/parcel	1.00/parcel
Condominium	.43/unit	.12/unit	.25/parcel	.79/parcel
Multi-family up to 20 units	.45/unit	.09/unit	.25/parcel	.54/unit + .25/parcel
Multi-family more than 20 units	.45/unit	1.80/parcel	.25/parcel	.45/unit + 2.05/parcel
Vacant minimum 7,200sf	.00/7,200sf	.25/parcel	.25/parcel	.50/parcel
Vacant 7,200 to 144,000sf	.00/7,200sf	.25/7,200sf	.25/parcel	.25/7,200sf + .25/parcel
Vacant maximum > 144,000sf	.00/7,200sf	5.00/parcel	.25/parcel	5.25/parcel

Table 4 provides a summary of assessment units for the different land uses for local lighting benefit.

**TABLE 4 - LOCAL LIGHTING ASSESSMENT UNIT SUMMARY**

Land Use Description	Parcels	Dwellings	Square Ft	Total AU's
Single Family Residential	284	284		284.000
Condominium	52	52		41.080
Multiple Family Residential	13	26		17.290
Vacant	0		0	0.000
<b>Totals</b>	<b>349</b>	<b>362</b>	<b>0</b>	<b>342.370</b>

The rate per AU is calculated by dividing the total budget amount by the total number of AU's:

$$\$6,074 / 342.370 \text{ AU's} = \$17.74 / \text{AU}$$

**Arterial Lighting Apportionment**

All parcels in the District receive a special benefit from the installation, operation, maintenance and servicing of traffic signals and freeway lighting as well as the operation, maintenance and servicing of safety lighting and street lighting on arterial streets. The arterial lighting, traffic signals, safety lighting, freeway lighting, and capital improvements (Arterial Lighting) are provided throughout the City and all properties in the City may easily access these improvements. In contrast to Local Lighting, Arterial Lighting benefits properties primarily because the properties, and the persons using the properties, are provided safe arterial street access. Therefore, Arterial Lighting benefit will be apportioned to parcels in the District on a per unit basis taking into account demographic population information.

Vacant properties, which have no people residing on the property, also benefit from arterial lighting because of the convenience associated with emergency vehicle access and other traffic that must use the arterial streets to service the vacant properties in the District. Therefore, Vacant parcels are assigned a per parcel benefit point. Vacant parcels are assigned 0.25 benefit points per parcel, based on the core benefit attributable to every assessable parcel in the District from Arterial Lighting.

Table 5 shows the breakdown of the Assessment Units assigned to each land use for all assessable property in the District.

**TABLE 5 - ARTERIAL LIGHTING BENEFIT**

Land Use Description	Total AU's
Single Family Residential (SFR)	1.00 / unit
Condominium	0.85 / unit
Multiple Family Residential	0.95 / unit
Vacant	0.25 / parcel

Table 6 provides a summary of assessment units for the different land uses for arterial lighting benefit.

**TABLE 6 - ARTERIAL LIGHTING ASSESSMENT UNIT SUMMARY**

Land Use Description	Parcels	Dwellings	Square Ft	Total AU's
Single Family Residential	278	278		278.000
Condominium	52	52		44.200
Multiple Family Residential	13	26		24.700
Vacant	0		0	
<b>Totals</b>	<b>343</b>	<b>356</b>	<b>0</b>	<b>346.900</b>

The rate per AU is calculated by dividing the total budget amount by the total number of AU's:

$$\$3,805 / 346.900 \text{ AU's} = \$10.97 / \text{AU}$$

**District Engineering Costs**

District Engineering Costs include legal, assessment engineering, and other engineering related costs necessary to achieve the District's compliance with Article XIIIID of the California Constitution. All parcels in the District benefit from the District Engineering Costs. Each parcel in the zone is allocated a proportionate share of the District Engineering Cost based on its assigned benefit points.

**Total Assessment**

The total assessment for each parcel is the sum of its assessment for local and arterial lighting. Table 7 summarizes the Fiscal Year 2019-20 assessment rates for the various land uses in Zones 1 and 2.

**TABLE 7 - SUMMARY OF ASSESSMENT RATES**

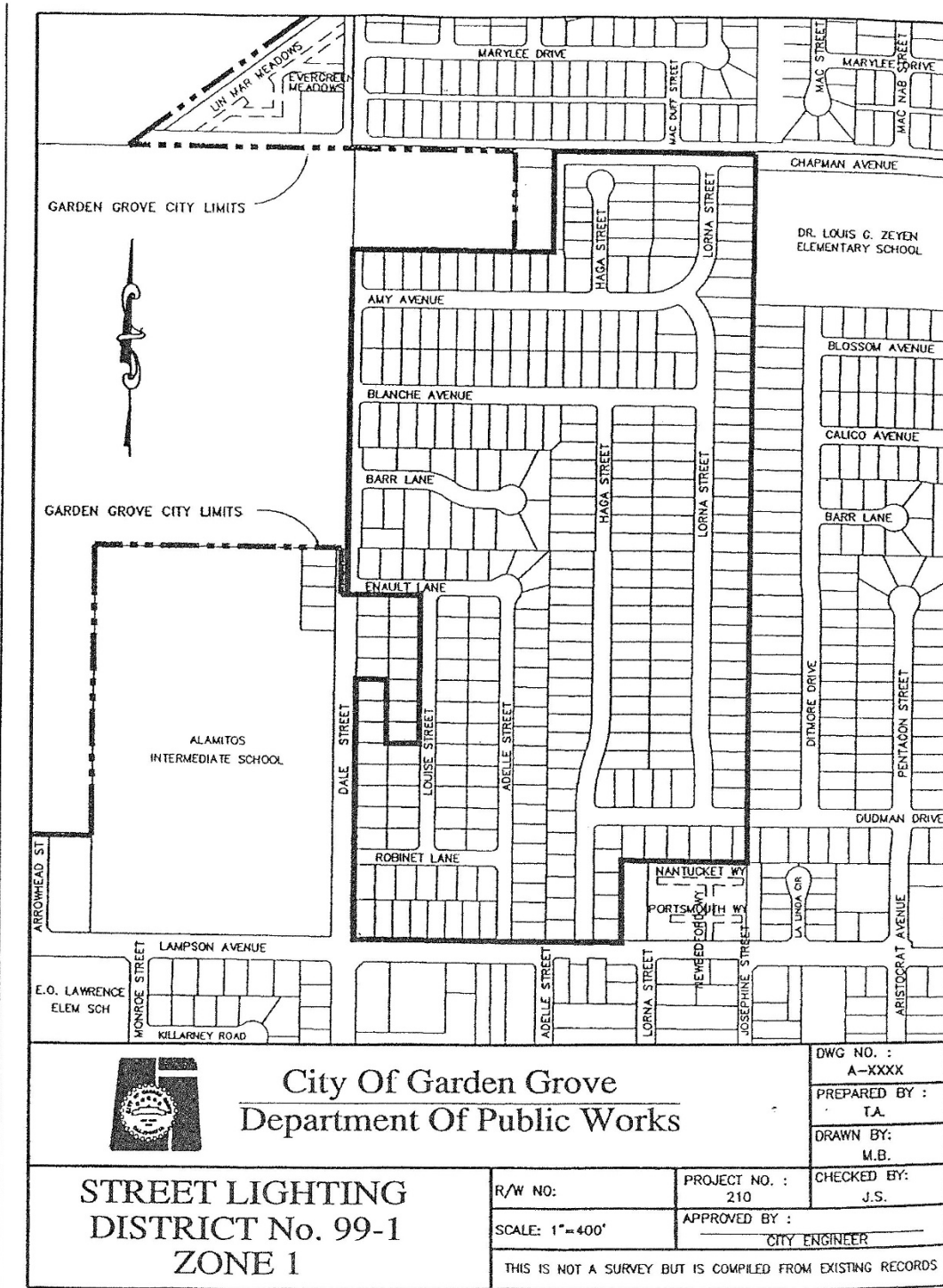
	Zone 1				Zone 2
	Single-family Residential	Condos/Townhomes	Multi-family Residential	Vacant	Single-family Residential
Assessment	per parcel	per unit	per unit	per parcel	per parcel
Local	\$17.74	\$14.01	\$9.58 + \$4.44 per parcel	\$4.44 + \$4.44 per parcel	\$17.74
Arterial	\$10.97	\$9.32	\$10.42	\$2.74	N/A
Total	\$28.71	\$23.33	Varies	Varies	\$17.74

## APPENDIX A – ASSESSMENT DIAGRAM

The Assessment Diagram, which shows the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District and the lines and dimensions of each lot or parcel of land within the Assessment District, is on file in the offices of the City Engineer and the City Clerk and is incorporated herein by reference.

The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Orange for the Fiscal Year to which this Report applies. The Assessor's maps and records are incorporated by reference herein and made part of this Report.

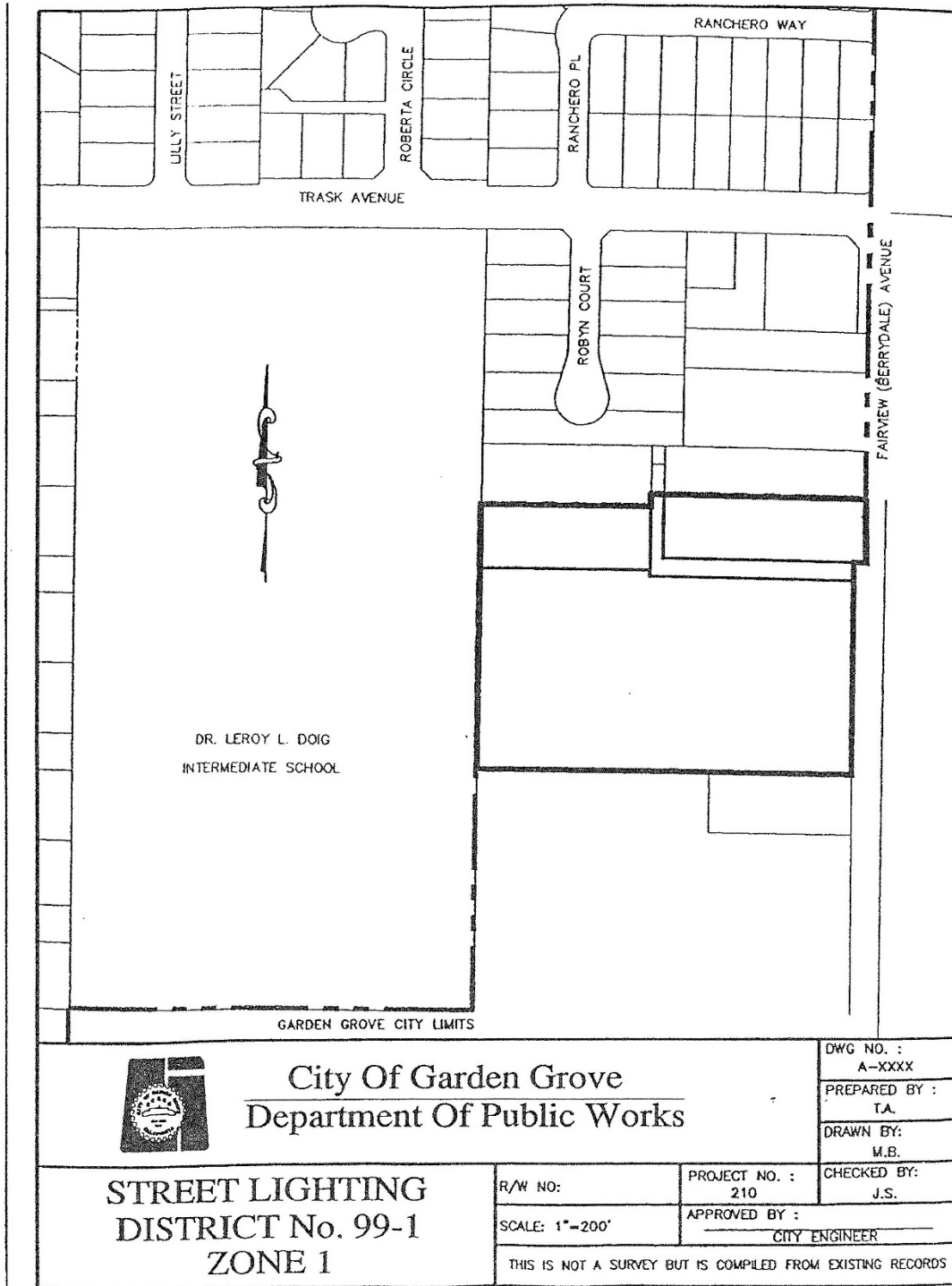


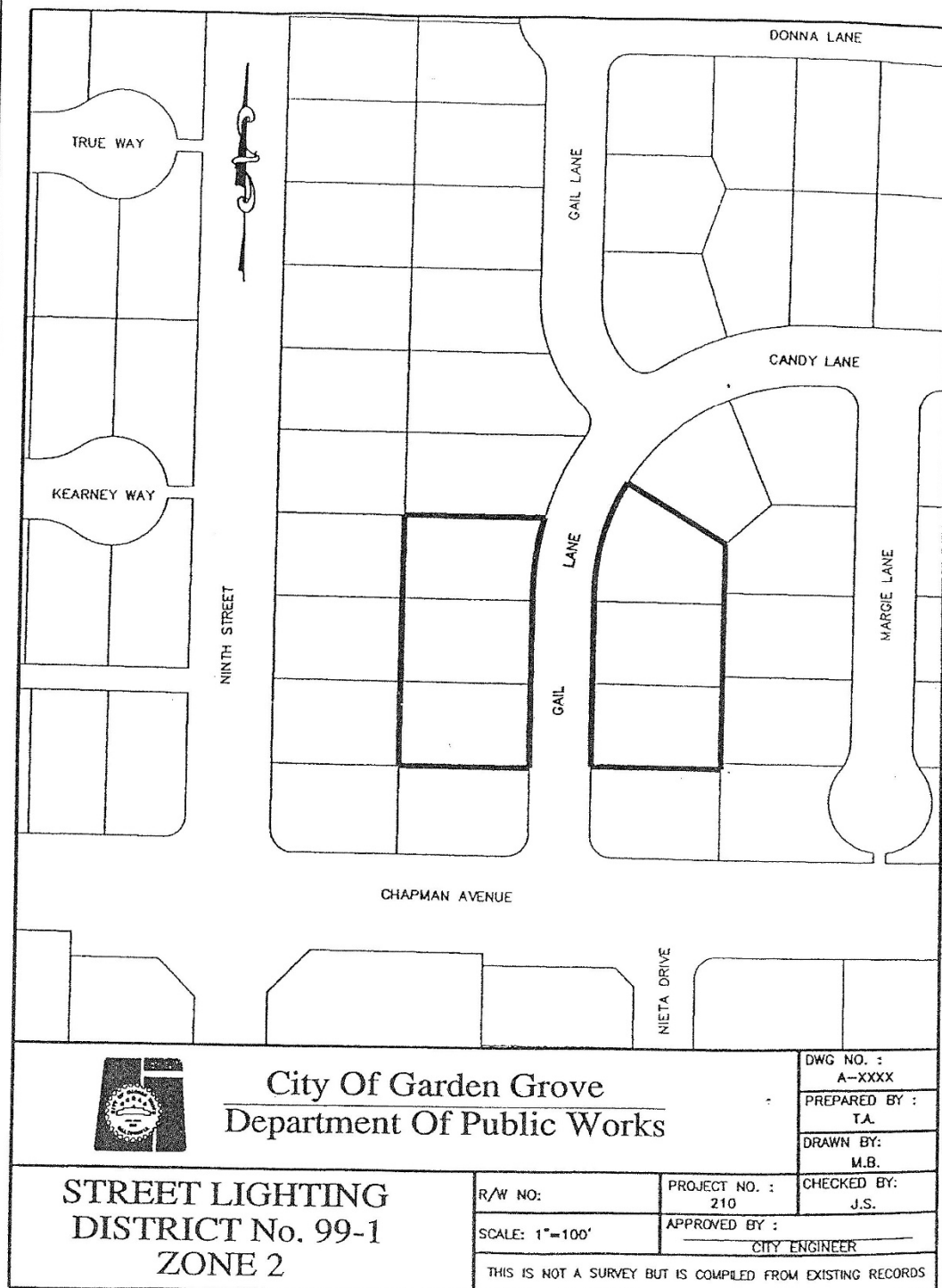


City Of Garden Grove  
 Department Of Public Works

**STREET LIGHTING  
 DISTRICT No. 99-1  
 ZONE 1**

DWG NO. : A-XXXX	PROJECT NO. : 210	CHECKED BY: J.S.
PREPARED BY : T.A.	APPROVED BY : CITY ENGINEER	
DRAWN BY: M.B.		
THIS IS NOT A SURVEY BUT IS COMPILED FROM EXISTING RECORDS		





**City Of Garden Grove**  
**Department Of Public Works**

DWG NO. :  
 A-XXXX  
 PREPARED BY :  
 T.A.  
 DRAWN BY:  
 M.B.  
 CHECKED BY:  
 J.S.

**STREET LIGHTING**  
**DISTRICT No. 99-1**  
**ZONE 2**

R/W NO:

PROJECT NO. :  
210

SCALE: 1"=100'

APPROVED BY :  
\_\_\_\_\_  
CITY ENGINEER

THIS IS NOT A SURVEY BUT IS COMPILED FROM EXISTING RECORDS

## **APPENDIX B – ASSESSMENT ROLL**

An assessment of the estimated cost of maintenance and/or servicing of the existing improvements on each benefited lot or parcel of land within the Assessment District for the Fiscal Year to which this Report applies are on file in the offices of the City Engineer and the City Clerk and incorporated herein by reference.