

RESOLUTION NO. 2012-156

A RESOLUTION OF THE LODI CITY COUNCIL AUTHORIZING
CITY ATTORNEY TO EXECUTE PROFESSIONAL SERVICES
AGREEMENT FOR PERFORMANCE OF GENERAL BENEFIT
ANALYSIS OF THE CITY'S CONSOLIDATED LANDSCAPE
MAINTENANCE DISTRICT NO. 2003-1

WHEREAS, the City's Landscape Maintenance District (LMD) was formed in 2003 to establish assessments that include ongoing maintenance and replacement of reverse frontage landscaping and irrigation, parkway trees, a prorated share of public park maintenance, and masonry sound walls; and

WHEREAS, NBS Government Finance Group has worked as the City's consultant since 2005, performing an annual assessment that covers a portion of the estimated costs of maintenance, operation, and servicing of the improvements that is paid by the property owners within the districts; and

WHEREAS, the improvements are said to be special benefits received by the property owners within the districts in accordance with Proposition 218 and, as such, they pay for the maintenance of these benefits; however, recent case law has found the methodology used to create the LMD is flawed; and

WHEREAS, the City is now required to perform a general benefits analysis to separate and quantify special benefits that only the maintenance districts receive versus a general benefit that not only the maintenance districts receive but also the general public may receive; and

WHEREAS, staff recommends executing a professional services agreement with NBS Government Finance Group, of Temecula, California, to provide analysis and numerical support for the breakdown of special versus general benefit in a report.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby authorize the City Attorney to execute a professional services agreement with NBS Government Finance Group, of Temecula, California, to perform a general benefit analysis of the City's Consolidated Landscape Maintenance District No. 2003-1 in the amount of \$16,224.85.

Dated: October 3, 2012

I hereby certify that Resolution No. 2012-156 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 3, 2012, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Katzakian, Nakanishi, and Mayor Mounce

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk