

RESOLUTION NO. RES-19-0074

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3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH INITIATING PROCEEDINGS,
5 PROVIDING NOTICE OF ITS INTENTION TO LEVY
6 ASSESSMENTS, PRELIMINARILY APPROVING THE
7 ENGINEER'S REPORT, AND PROVIDING FOR NOTICE OF
8 HEARING, AND THE MAILING OF ASSESSMENT
9 BALLOTS FOR THE VECTOR CONTROL PROGRAM,
10 MOSQUITO, VECTOR AND DISEASE CONTROL
11 ASSESSMENT
12

13 WHEREAS, the Long Beach Health Department's Bureau of Environmental
14 Health Mosquito and Vector Control Program (VCP) desires to provide comprehensive
15 mosquito abatement, vector control and public health protection services; and

16 WHEREAS, the mission of the VCP is to serve the public by suppressing
17 populations of mosquitoes and other vectors of human disease-carrying potential, and
18 reduce annoyance levels below generally acceptable thresholds, in order to protect the
19 public health and comfort and permit full use and enjoyment of outdoor areas by
20 residents and visitors within the VCP's service area ("Service Area"); and

21 WHEREAS, the VCP hereby proposes to establish a benefit assessment on
22 all benefiting properties within the VCP boundaries to continue and enhance services and
23 public improvements ("Services") that provide direct and special benefits to certain real
24 properties in its service area ("Assessment Area" or "Assessment District"); and

25 WHEREAS, the VCP has designated SCI Consulting Group as Engineer of
26 Work ("Assessment Engineer") for purposes of these proceedings, and has requested
27 SCI Consulting Group to prepare an Engineer's Report in accordance with the
28 Government Code, Health and Safety Code and Article XIIIID of the California

1 Constitution; and

2 WHEREAS, an Engineer's Report ("Engineer's Report") has been prepared
3 by the Assessment Engineer and submitted to the City Council, in which a new
4 assessment is proposed to fund the cost of providing the Services. The Report, which is
5 available for public review at the City Clerk's office, located at 333 West Ocean Blvd.,
6 Long Beach CA 90802, is hereby incorporated by reference. This Engineer's Report
7 includes: (1) a description of the Services to be funded with assessment proceeds; (2) an
8 estimate of the annual cost of such Services; (3) a description of the assessable parcels
9 of land within the VCP service area and proposed to be subject to the new assessment;
10 (4) a description of the proportionate special and general benefits conferred on property
11 by the proposed assessment; (5) a description of the boundaries of the VCP, and (6) a
12 specification of the amount to be assessed upon various types of assessable land to fund
13 the cost of the mosquito, vector and disease control services. This proposed assessment
14 shall be described as the "Mosquito, Vector and Disease Control Assessment"
15 (hereinafter the "Assessment") of the Long Beach Health Department's Bureau of
16 Environmental Health Mosquito and Vector Control Program;

17 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
18 follows:

19 Section 1. An Engineer's Report by a registered professional engineer,
20 (the Engineer of Work) has been prepared in accordance with Article XIID of the
21 California Constitution and the California Government and Health and Safety Codes. The
22 Engineer's Report has been made, filed with the City Clerk and duly considered by the
23 City Council and is hereby deemed sufficient and preliminarily approved. The Engineer's
24 Report shall stand as the Engineer's Report for all subsequent proceedings under and
25 pursuant to the foregoing resolution.

26 Section 2. The City Council intends to levy and collect annual
27 assessments within the Assessment Area to fund the cost of providing improved
28 mosquito and disease testing and control services and the proposed projects and

1 services set forth in the Engineer's Report. Within the Assessment Area, the proposed
2 projects, services and programs are generally described as monitoring, disease
3 prevention, abatement, and control of vectors within the VCP's boundaries. Such
4 improved mosquito abatement, vector control and disease testing and prevention projects
5 include, but are not limited to, source identification, monitoring, control and reduction;
6 rapid and cost-effective mosquito, vector and disease identification, testing, control,
7 management and response; efficient, focused, environmentally sensitive and efficient
8 larvicide and adulticide applications; disease monitoring, public education, reporting,
9 accountability, research and interagency cooperative activities; as well as capital costs,
10 maintenance and operation expenses (collectively "Services and Improvements"). The
11 cost of these Services also includes capital costs comprised of equipment, capital
12 improvements and facilities necessary and incidental to the VCP's mosquito and vector
13 control services.

14 Section 3. The Assessment consists of the lots and parcels shown on
15 the assessment diagram of the Assessment, on file with the City Clerk, and reference is
16 hereby made to such diagram for further particulars.

17 Section 4. Reference is hereby made to the Engineer's Report for a full
18 and detailed description of the proposed projects and services, the boundaries of the
19 Assessment and the proposed assessments upon assessable lots and parcels of land
20 within the Assessment.

21 Section 5. The estimated cost of funding the Services described in the
22 Report and funded by the Assessment for fiscal year 2019-20 is approximately \$753,474.
23 This cost results in a proposed assessment rate of Eight Dollars and Twenty One Cents
24 (\$8.21) per single family equivalent benefit unit in Zone of Benefit A, Seven Dollars and
25 Fifty Five Cents (\$7.55) per single family equivalent benefit unit in Zone of Benefit B, Six
26 Dollars and Ninety Eight Cents (\$6.98) per single family equivalent benefit unit in Zone of
27 Benefit C, and Six Dollars and Ninety Eight Cents (\$6.98) per single family equivalent
28 benefit unit in Zone of Benefit D for fiscal year 2019-20.

1 Section 6. A public hearing shall be held before this City Council as
2 follows: 333 W. Ocean Boulevard Council Chamber, Long Beach CA 90802, on July 2,
3 2019 at the hour of 5:00 p.m. (or as soon as allowed by the council agenda) for the
4 purpose of conducting a hearing and to consider all protests of property owners regarding
5 the proposed Assessment and this Council's determination whether the public interest,
6 convenience and necessity require the Services and this Council's final action upon the
7 Engineer's Report and the assessments therein.

8 Section 7. The City Clerk is hereby authorized and directed to cause
9 Notice of the hearing ordered hereof to be given in accordance with law by mailing,
10 postage prepaid in the United States mail, and such Notice shall be deemed to have
11 been given when so deposited in the mail. The mailed Notice shall be given to all
12 property owners, by name, subject to the proposed assessments by such mailing to
13 those persons whose names and addresses appear on the last equalized secured
14 property tax assessment roll for the Los Angeles County, or in the case of any public
15 entity, the representative of such public entity at the address thereof known to the City
16 Clerk or the Assessment Engineer.

17 Section 8. The mailed public notice of this public hearing shall also
18 contain the following information: (a) the total amount of assessments proposed to be
19 levied within the Assessment for fiscal year 2019-20; (b) the assessment chargeable to
20 each property owner's parcel; (c) the duration of the proposed assessment; (d) the
21 reason for the proposed assessment; (e) the basis upon which the amount of the
22 proposed assessment was calculated; (f) the date, time and place of the public hearing
23 on the proposed assessment as specified in this Resolution. Further, each notice shall
24 include, in a conspicuous place, a summary of the procedures to be used for the
25 completion, return and tabulation of the assessment ballots including a statement that the
26 assessment shall not be imposed if the ballots submitted in opposition to the assessment
27 exceed the ballots submitted in favor of the assessment, with ballots weighted according
28 to the proportional financial obligation of the affected property. Each Notice shall also

1 contain an official assessment ballot, a summary of the procedures applicable to the
2 completion, return and tabulation of assessment ballots, and a statement that the
3 existence of a majority protest will result in the assessment not being imposed. The
4 assessment ballot shall include the address for receipt of the assessment ballot and a
5 place where the person returning the assessment ballot may indicate his or her name, a
6 reasonable identification of the parcel and his or her support or opposition to the
7 proposed assessment. Each ballot shall be in a form that conceals its contents once it is
8 sealed by the person submitting the ballot. The Notice and assessment ballot shall be
9 mailed not less than forty-five (45) days before the date of the public hearing.

10 Section 9. The assessments are proposed to be levied annually. If the
11 proposed Special Assessments are approved and confirmed by the City Council, the
12 Special Assessments may increase in future years by an amount equal to the annual
13 change in the Consumer Price Index for All Urban Consumers (CPI-U) in Los Angeles-
14 Long Beach-Anaheim, CA, not to exceed three percent (3%) per year, without a further
15 vote or balloting process. In each subsequent year in which the assessments will be
16 levied, an updated Engineer's Report, including a proposed budget and assessment rate,
17 shall be prepared. The updated Engineer's Report shall be considered by the City
18 Council at a noticed public hearing. The updated Engineer's Report shall serve as the
19 basis for the continuation of the assessments.

20 Section 10. This resolution shall take effect immediately upon its adoption
21 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of May 7, 2019 b by the following vote:

Ayes: Councilmembers: Pearce, Price, Supernaw, Mungo,
Andrews, Richardson.

Noes: Councilmembers: None.

Absent: Councilmembers: Gonzalez, Uranga, Austin,



City Clerk

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Lona Beach, CA 90802-4664