

STAFF REPORT

CITY OF YORBA LINDA

PUBLIC WORKS DEPARTMENT

DATE: JUNE 2, 2009

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: MARK L. STOWELL, ASSISTANT CITY MANAGER/ PUBLIC WORKS
DIRECTOR/CITY ENGINEER

PREPARED BY: BRUCE CARLETON, ASSESSMENT DISTRICT
MANAGER

SUBJECT: CITY OF YORBA LINDA STREET LIGHTING AND LANDSCAPE
MAINTENANCE DISTRICT – PROCEEDINGS RELATIVE TO LEVYING
ANNUAL ASSESSMENT
(REPORT NO. 2009-53)

RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 2009-4013, which initiates proceedings for the Street Lighting and Landscape Maintenance District, and orders the Engineer to prepare and file a report for the District.

BACKGROUND

The Citywide Street Lighting and Landscaping Maintenance District was formed pursuant to the Landscaping and Lighting Act of 1972. The district contributes toward the cost of installation, maintenance, and servicing of public street lighting and landscape maintenance in the City. Annually, the City is required to prepare an Engineer's Report identifying the proposed assessments for the Fiscal Year and setting forth the proposed new improvements, as well as describing the servicing, maintenance, and operation of the public lighting and landscaping maintenance facilities within the City.

ANALYSIS

Resolution No. 2009-4013 orders the preparation and filing of an Engineer's Report in accordance with the Streets and Highways Code of the State of California. The Landscaping and Lighting Assessment District is an effective method to service, maintain and operate street lighting and landscape facilities in an economical manner, with costs covered by the area of benefit.

A proposed schedule of events for implementing the Assessment District is attached outlining the procedural steps necessary to levy the annual assessment. The first step in the process involves the adoption of a resolution ordering the Engineer to prepare and file a report.

FISCAL IMPACT

There is no impact in filing this report.

RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 2009-4013, which initiates proceedings for the Street Lighting and Landscape Maintenance District, and orders the Engineer to prepare and file a report for the District.

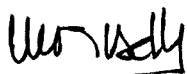
ALTERNATIVES

- 1) Adopt Resolution No. 2009-4013, which initiates proceedings for the Street Lighting and Landscape Maintenance District, and orders the Engineer to prepare and file a report for the District.
- 2) Do not adopt Resolution No. 2009-4013. This may hinder the ability of the City to assess properties for funding of the assessment districts.

ATTACHMENTS

1. Resolution 2009-4013
2. 2009 Schedule for Citywide Street Lighting and Landscape Maintenance District

Approved By:



William R. Kelly
Interim City Manager

RESOLUTION NO. 2009-4013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YORBA LINDA, CALIFORNIA, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (SECTIONS 22500 ET. SEQ. OF THE CALIFORNIA STREETS AND HIGHWAYS CODE) INITIATING PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR THE 2009/2010 FISCAL YEAR FOR THE CITY OF YORBA LINDA STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT AND ORDERING THE ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF SAID ACT

WHEREAS, the City Council of the City of Yorba Linda did form the City of Yorba Linda Street Lighting and Landscaping Maintenance Assessment District pursuant to the provisions of the Landscape and Lighting Act of 1972, in which assessments were levied and collected for Fiscal Year 2008/2009; and

WHEREAS, said Act requires that proceedings for the levy of annual assessments shall be initiated by resolution describing any proposed new improvements or any substantial changes in existing improvements in accordance with Chapter 3 (commencing with Section 22620) of Part 2 of Division 15 of the Streets and Highway Code of the State of California, and ordering the engineer to prepare and file a report in accordance with Article 4 of Chapter 1 of said Act.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Yorba Linda as follows:

SECTION 1. The City Council of the City of Yorba Linda proposes the levy of an annual assessment for the City of Yorba Linda Street Lighting and Landscaping Maintenance District pursuant to the Landscaping and Lighting Act of 1972 for Fiscal Year 2009/2010.

SECTION 2. The proposed improvements for the Fiscal Year 2009/2010 are generally described as the servicing, maintaining and operating of public street lighting and landscaping facilities, including traffic signals, and newly accepted landscaping facilities within the District.

SECTION 3. The City Council hereby orders the City Engineer to prepare and file with the City Clerk a written report in accordance with Section 22565 et. seq. of the California Streets and Highways Code.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Yorba Linda on this 2nd day of June, 2009.

MARK SCHWING, MAYOR
CITY OF YORBA LINDA

ATTEST:

KATHIE M. MENDOZA, CITY CLERK
CITY OF YORBA LINDA

**2009 SCHEDULE FOR CITYWIDE
YORBA LINDA LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT**

<u>DATE</u>	<u>ACTION</u>
June 2, 2009	Resolution No. 2009-4013 initiating proceedings and ordering Engineer to prepare and file a report for 2009/2008
June 9, 2009	Engineer's Report submitted to City Clerk
June 16, 2009	Adopt Resolution No. 2009-xxxx approving Engineer's Report
June 16, 2009	Adopt Resolution No. 2009-xxxx declaring intention to levy and collect assessments and setting public hearing for July 21, 2009
June 17, 2009	E-Mail Resolution No. 2009-xxxx to the Yorba Linda Star for publication
June 25 , 2009	Publication Date
July 21, 2009	Public Hearing Re: Resolution 2009-xxxx confirming the diagram and Assessments and Levying Assessments within Citywide Yorba Linda Lighting and Landscaping Maintenance District for FY 2009/2010
July 22, 2009	Provide Engineering with certified copies of Resolution for transmittal to Orange County Assessor/Tax Collector no later than noon on August 10, 2009