

STAFF REPORT
City of Lancaster

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Date: July 10, 2007

To: Mayor Hearn and City Council Members

From: James R. Williams, Public Works Director

Subject: **Public Hearing Relative to Proposed Annexation No. 389 to Lancaster Landscape Maintenance District No. 1 and Assessments**

Recommendation:

Adopt Resolution No. 07-139, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Landscape Maintenance District No. 1 (Annexation No. 389).

Fiscal Impact:

Estimated annual maintenance cost for each project is shown on Attachment A and has been paid by the Developers, subsequent costs will be assessed against the benefiting properties.

Background:

On July 10, 2007, the City Council adopted Resolutions initiating proceedings, approving the Engineer's Report, and setting a public hearing on July 10, 2007, relative to Lancaster Landscape Maintenance District No. 1, Annexation No. 389.

In order to maintain landscape improvements and provide for ongoing costs, the properties are being annexed into the District. Pursuant to the provisions of the Landscaping and Lighting Act of 1972 of the California Streets and Highways Code (the Act), Section 22500 et seq., the City may annex territory into an existing maintenance district to provide for the continued maintenance of landscape improvements. This places the cost of maintaining the improvements upon the property owners directly benefiting from them. Annexation of the properties is required so that an assessment may be levied to cover maintenance costs for the improvements within the District.

In accordance with State Law, an Engineer's Report, including diagrams and assessments, was prepared indicating the property to be benefited and the amount of the assessment to each individual property. This report is on file with the City Clerk.

In response to the City's conditions of its approval of the projects, the Developers have executed and filed petitions with the City Council wherein the Developers have, among other things, proposed to improve the Improvement Areas and have requested the annexation of the properties into the Lancaster Landscape Maintenance District No. 1 to provide for the continued

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maintenance, operation, and servicing of the Improvement Areas, and all improvements thereon. The Developers are the sole owners of the properties being annexed. By signing the petitions, the Developers have waived the 45-day advance notice of public hearing, conducting a public meeting, noticing, and the right to majority protests at the public hearing. Additionally, the Developers have submitted assessment ballots in favor of the annexations.

Each lot or parcel within the District, as indicated on the diagrams, that is annexed will have an assessment of \$87.28 for Fiscal Year 2006-2007 as determined in the Engineer's Report.