

STAFF REPORT
City of Lancaster, California

PH 2
10/23/07
RSL

Date: October 23, 2007

To: Mayor Hearn and City Council Members

From: James R. Williams, Public Works Director

Subject: **Public Hearing Relative to Proposed Annexation Nos. 179 and 815 to Lancaster Lighting Maintenance District and Assessments**

Recommendation:

Adopt **Resolution No. 07-188**, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Lighting Maintenance District (Annexation Nos. 179 and 815).

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 October 23, 2007, the City Council adopted Resolutions initiating proceedings, approving the Engineer's Report, and setting a public hearing on October 23, 2007, relative to Lancaster Lighting Maintenance District, Annexation Nos. 179 and 815.

In order to maintain street lights 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 lighting 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 of the improvements within the District.

In accordance with State Law, an Engineer's Report, including diagrams and assessments, was prepared indicating the properties 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 Lighting Maintenance District to provide for the continued 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.