

STAFF REPORT
City of Lancaster

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12/11/07
MVB

Date: December 11, 2007

To: Mayor Hearn and City Council Members

From: James R. Williams, Public Works Director

Subject: **Public Hearing Relative to Proposed Annexation No. 392 to Lancaster Landscape Maintenance District No. 1 and Assessment**

Recommendation:

Adopt **Resolution No. 07-213**, confirming the diagram and assessment and ordering the annexation of territory into Lancaster Landscape Maintenance District No. 1 (Annexation No. 392).

Fiscal Impact:

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

Background:

On December 11, 2007, the City Council adopted a Resolution initiating proceedings, approving the Engineer's Report, and setting a public hearing on December 11, 2007, relative to Lancaster Landscape Maintenance District No. 1, Annexation No. 392.

In order to maintain landscape improvements and provide for ongoing costs, the property is 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 a diagram and assessment, 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 project, the Developer has executed and filed the petition with the City Council wherein the Developer has, 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 maintenance,

operation, and servicing of the Improvement Areas, and all improvements thereon. The Developer is the sole owner of the property being annexed. By signing the petition, the Developer has 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 Developer has submitted the assessment ballot in favor of the annexation.

Each lot or parcel within the District, as indicated on the diagram, that is annexed will have an assessment of \$90.33 for Fiscal Year 2007-2008 as determined in the Engineer's Report.