

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 Nos. 07-27, 07-34, and 07-56 to Lancaster Drainage Benefit Assessment District and Assessment**

Recommendation:

Adopt **Resolution No. 07-211**, confirming the diagrams and assessments and ordering the annexation of territories into Lancaster Drainage Benefit Assessment District (Annexation Nos. 07-27, 07-34, and 07-56).

Fiscal Impact:

Estimated first year's 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 December 11, 2007, the City Council adopted Resolutions initiating proceedings, approving the Engineer's Report, and setting a public hearing on December 11, 2007, relative to Lancaster Drainage Benefit Assessment District, Annexation Nos. 07-27, 07-34, and 07-56.

In order to maintain drainage improvements and provide for ongoing costs of maintenance, the property is being annexed into the District. Pursuant to the provisions of the Benefit Assessment Act of 1982 (the Act), as set forth in Chapter 6.1 of Part 1 of Division 2 (Section 54710 et seq.) of the Government Code of the State of California, the City may annex territory into an existing maintenance district to provide for the continued maintenance of drainage improvements. This places the cost of maintaining the improvements upon the property owners directly benefiting from them. Annexation of the property 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 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 Property into the Lancaster Drainage Maintenance District to provide for the continued maintenance, operation, and servicing of the drainage improvements. 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 annexation.