

STAFF REPORT
City of Lancaster

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MVB

Date: June 24, 2008

To: Mayor Parris and City Council Members

From: James R. Williams, Director of Public Works

Subject: **Lancaster Lighting Maintenance District**
Levy of Annual Assessment for Fiscal Year 2008-2009

Recommendation:

Adopt **Resolution No. 08-52**, confirming the diagram and assessment and ordering the levying of an assessment in Lancaster Lighting Maintenance District for Fiscal Year 2008-2009.

Fiscal Impact:

Each benefit unit will be assessed \$83.06 (\$45.00 in zones that voted "no" during the 2003 election). A total of \$3,385,021 will be assessed against the benefiting properties, which will be used for maintenance expenses. The total operating cost of the Lancaster Lighting Maintenance District for Fiscal year 2008-2009 is \$4,097,760. The resulting budget shortfall of \$712,739 will be funded from the general fund. (These numbers are estimates, actual budget shortfall may vary). Note that an operating reserve of \$2,048,880 is not funded as revenues are insufficient.

Background:

On May 18, 1992, the City Council initiated proceedings to transfer County Lighting Maintenance District No. 1956 to the City of Lancaster.

On June 15, 1992, the City Council adopted Resolution Nos. 92-150, 92-151, 92-152, 92-153, and 92-154 forming Lancaster Street Lighting District and transferring jurisdiction of County Lighting Maintenance District No. 1956 to the City of Lancaster.

On March 11, 2003, the City Council directed that an election be held asking the property owners within the Lancaster Lighting Maintenance District (LLMD) to approve an increase in the annual street lighting assessment to \$70.00 per lighting unit, including a Consumer Price Index (CPI) based inflator. On July 8, 2003, the City Council announced the results of the election to approve the increase in annual assessments within the City's lighting maintenance district. The results of the tally of the election were that out of 104 zones, nine zones, namely zones 27, 30, 49B, 51B, 51D, 65B, 70A, 89B, and 103 failed to receive voter approval. Following the results of the original vote, and with the street lights being turned off, property owners within three zones that voted "no", namely zone 27 split into zones 27A and 27B, zone 30, split into zones 30A and 30B, and zone 89B split into zones 89B-1 and 89B-2, submitted petitions to the City to initiate another voting process. The City Council adopted resolutions initiating proceedings for the levy of additional assessments and notices of public hearings and assessment ballots were mailed to the affected property owners within these zones.

The three election processes were successful and the City Council approved the levy of additional assessments at the October 28, 2003, November 11, 2003, and January 27, 2004 Council meetings.

Lancaster Lighting Maintenance District was formed, including subsequent annexations thereto, for the purpose of financing maintenance operations and installation of public lighting facilities, including but not limited to traffic signals (as defined in § 22525 of the California Code) within the City of Lancaster, and assessing those properties which benefit from this service their proportionate share of the cost. Each year the City Council must, by law, order the preparation of an Engineer's Report describing the existing and proposed maintenance services, and conduct a public hearing to establish and order the amount of assessment for the next fiscal year.

The assessment for Fiscal Year 2008-2009 is \$83.06, including a CPI factor for Los Angeles-Riverside-Orange County of 3.1% per lighting unit, except for those parcels within the zones that voted "no" as shown on "Exhibit C", which will remain at \$45.00 per lighting unit.

The street lighting improvements in the areas within the District will be maintained with funds generated by the Lighting Maintenance District. Each lot or parcel within the District that has been annexed as indicated on the diagram will be assessed a unit assessment of \$83.06 for Fiscal Year 2008-2009. Parcels within the zones that voted "no" will remain at a unit assessment of \$45.00.

Attachments:

Resolution No. 08-52

District Fund Accounting for Lancaster Lighting Maintenance District

RESOLUTION NO. 08-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND ORDERING THE LEVYING OF AN ASSESSMENT IN LANCASTER LIGHTING MAINTENANCE DISTRICT FOR FISCAL YEAR 2008-2009

WHEREAS, the City Council on June 10, 2008, adopted a Resolution of Intention to order the levying of an assessment in Lancaster Lighting Maintenance District (hereinafter referred to as "the District") for the purpose of providing funds for the provision of lighting maintenance services located therein, pursuant to provisions of the Landscaping and Lighting Act of 1972 of the Streets and Highways Code of the State of California; and

WHEREAS, the City Engineer has prepared and filed an Engineer's Report with the City Clerk as required by law; and

WHEREAS, the City Council did proceed to cause notice in the manner required by law of the time and place for a Public Hearing on the levying of the proposed assessment; and

WHEREAS, the City Council has heard all testimony and evidence and is desirous of proceeding with the levying of an assessment.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, STATE OF CALIFORNIA, THAT:

Section 1. The City Council of the City of Lancaster hereby finds that the public interest and convenience requires the continued maintenance of the lighting improvements in Lancaster Lighting Maintenance District.

Section 2. The District diagrams and assessments as set forth in said Report, or as modified, are hereby approved, confirmed, and adopted by the City Council.

Section 3. The adoption of the Resolution constitutes the levy of an assessment of \$83.06 per lighting unit, except for those parcels within the zones that voted "no" which will remain at \$45.00 per lighting unit, for the fiscal year commencing July 1, 2008 and ending June 30, 2009.

Section 4. The amounts to be assessed for the expenses of the maintenance, operation, and service as described in said Report and Resolution of Intention shall be collected at the same time and in the same manner as County taxes are collected and shall be disbursed and expended for maintenance, operation and service of the District, all as described in the Engineer's Report and in Section 4 of the Resolution of Intention.

Section 5. The City Clerk is hereby ordered and directed to file a certified copy of this Resolution, upon its adoption, with the County Auditor.

PASSED, APPROVED, and ADOPTED this _____ day of _____, 2008, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

GERI K. BRYAN, CMC
City Clerk
City of Lancaster

R. REX PARRIS
Mayor
City of Lancaster

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF LANCASTER)

CERTIFICATION OF RESOLUTION
CITY COUNCIL

I, _____, _____ City of Lancaster, California, do hereby certify that this is a true and correct copy of the original Resolution No. 08-52, for which the original is on file in my office.

WITNESS MY HAND AND THE SEAL OF THE CITY OF LANCASTER, on this _____ day of _____, _____.

(seal)
