



## Legislation Details (With Text)

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**File created:** 7/8/2019    **In control:** City Council  
**On agenda:** 7/25/2019    **Final action:** 7/25/2019  
**Title:** HEARING to consider the proposed Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)  
1. \*\*\*RESOLUTION - Confirming the diagram and assessment and levy of annual assessment, 2019-2020, for Landscaping and Lighting District No. 1 (Subject to Mayor's Veto)  
**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 19-1977 Vicinity Map.pdf, 2. 19-1977 Resolution.pdf, 3. 19-1977 LLMD PPT.pdf, 4. Late Submission Engineers Report FY19\_20.pdf

Date	Ver.	Action By	Action	Result
7/25/2019	1	City Council	adopted	Pass

## REPORT TO THE CITY COUNCIL

**July 25, 2019**

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Public Works Department

**THROUGH:** ANDREW J. BENELLI, PE, City Engineer/Assistant Director  
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## SUBJECT

**HEARING** to consider the proposed Annual Assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (Citywide)

1. \*\*\*RESOLUTION - Confirming the diagram and assessment and levy of annual assessment, 2019-2020, for Landscaping and Lighting District No. 1 (Subject to Mayor's Veto)

## RECOMMENDATIONS

Staff recommends the City Council:

1. Adopt a resolution confirming the diagram and assessment.
2. Levy and collect the annual assessments for Landscaping and Lighting Maintenance District

No. 1.

## **EXECUTIVE SUMMARY**

The Landscaping and Lighting Maintenance Act of 1972 requires an annual hearing and levy of assessments for the City of Fresno Landscaping and Lighting Maintenance District No. 1 (LLMD). The assessment collected (\$729,700) will provide for the maintenance of the City required landscaped easements along streets adjacent to the 145 subdivisions within the District.

Today's hearing is to allow opportunity for public comment about the LLMD and for the Council's approval of the annual assessment.

## **BACKGROUND**

On March 22, 1983, the City Council adopted Resolution No. 83-93 ordering the formation of Assessment District No. 89 (District), subsequently renamed LLMD. The District was formed to recover the City's costs of maintaining the landscaping within public rights-of-way and easements adjacent to certain existing subdivisions. The District is now comprised of 145 subdivisions with 14,870 individual assessments.

The landscaping improvements are maintained by Public Works Department from funds derived through the assessments levied by the District. These assessments will partially fund the cost of landscaping over the next year. The maintenance rate has remained unchanged since 1997 due to the constraints placed by California Proposition No. 218. The assessments do not cover the costs to maintain any street medians, frontage road islands, utility easements, trails, bike paths, and green ways.

On June 6, 2019, the Engineer's Report was filed in the City Clerk's Office and has been available for public review. On June 20, 2019, the City Council adopted Resolution No. 2019-129 indicating its intention to levy and collect the annual assessments for properties within the District, and set today's public hearing.

The purpose of today's hearing is to allow all property owners affected by the District an opportunity to give public testimony regarding their assessments and for the Council to adopt the Resolution Approving the Engineer's Report and Levying Annual Assessments. At this time, we have received no letters of protest from District property owners.

Today's public hearing has been duly noticed and the attached Resolution has been reviewed and approved as to form by the City Attorney's Office.

## **ENVIRONMENTAL FINDINGS**

By the definition provided in the California Environmental Quality Act Guidelines Section 15378 this hearing does not qualify as a "project" and is therefore exempt from the California Environmental Quality Act requirements.

## **LOCAL PREFERENCE**

Local preference was not considered because this hearing does not include a bid or award of a

construction or services contract.

## **FISCAL IMPACT**

The Public Works Department performed the maintenance in the past LLMD fiscal year using only assessment funds collected (\$729,700). Approval of the annual levy of the LLMD assessments will provide funding for a continuation of the current service levels within the LLMD subdivisions.

In the event the City Council elects not to confirm the assessments for FY 2020, the maintenance effort could be funded using General Fund, Community Sanitation Funds, or a combination thereof. The Council could also choose to terminate the service.

### **Attachments:**

Vicinity Maps

Resolution

LLMD PPT