PUBLIC HEARING

SUBJECT: IMPROVEMENTS AND THE FORMATION OF LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 22

SOURCE: Parks and Leisure Services Department

COMMENT: At the City Council meeting of June 4, 2002, the City Council approved all resolutions for the formation of Landscape and Lighting Maintenance District No. 22. Resolution 68-2002 declared the Council’s intention to order the formation of said District, and set a public hearing for June 18, 2002, in order to hear any objections to the proposed assessment district.

The landscaping and lighting improvements, to be installed by the developer, are located on Newcomb Street, Pioneer Avenue, Julieann Avenue, Greenfield Street, York Street, and Birch Street. The improvements are shown on Landscape and Lighting District No. 22 Map, known as Meadowood, Phase Two Subdivision. The landscaping and lighting improvements are located within the streets of the development. City Council has established that the maintenance of this landscaping and lighting is a vital part of the development of the tract. The City Council has also determined that to insure satisfactory levels of maintenance for landscaping and lighting, the tract should be formed as a maintenance district. Landscaping and 19 street lights will be maintained in the District. Total cost for maintenance is $4,755.95, which equates to $86.47 per lot.

RECOMMENDATION: That the City Council approve a Resolution of the City Council of the City of Porterville, California, Ordering the Improvements and the Formation of Landscape and Lighting Maintenance District No. 22.

ATTACHMENTS: 1) Resolution Ordering the Improvements and Formation of Landscape and Lighting Maintenance District No. 22; 2) Engineer’s Report; and 3) Map.
SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville Resolution No. 67-2002. The report is in compliance with the requirement of Article 4, Chapter 1, Division 15 of the Streets and Highways Code, State of California (Landscaping and Lighting Act of 1972).

SECTION 2. General Description

The City Council has elected to include landscaping and lighting at Meadowood Phase Two Subdivision into Landscape and Lighting Maintenance District No. 22. The City Council has determined that the areas to be landscaped and lighted will have an effect upon all parcels within the proposed boundaries of the District. The district includes landscaping on Newcomb Street, Pioneer Avenue, Julieann Avenue, Greenfield Street, York Street, and Birch Street.

SECTION 3. Plans and Specifications

The plans and specifications for lighting were prepared by the developer and are in conformance with the requirements of the City of Porterville. The lighting will be shown on the subdivision maps as roadway rights-of-way, or easements to be granted to the City of Porterville.

Maintenance activities within the Landscape and Lighting Maintenance District No. 22 are to include landscaping and lighting maintenance.
SECTION 4. Improvements

Landscape and lighting improvements were made by the developer of Landscape and Lighting Maintenance District No. 22.

SECTION 5. Estimated Costs

The construction cost was borne by the developer and will not be assessed. The subdivision map has been filed for record and it is intended that the improvements will be constructed during fiscal year 2002-2003 and certain lighting cost will be incurred during fiscal year 2002-2003. It is appropriate that assessments be made in advance of the anticipated expenditure to provide working capital, however in this case assessments will not be made until the 2002-2003 fiscal year.

Estimated Assessment 2002-2003

**Landscaped and Irrigation Area**

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shrub area, 4,940 sq. ft. @ .25¢ sq. ft.</td>
<td>$1,235.00</td>
</tr>
<tr>
<td>Trees, 7 ea @ $15 per tree</td>
<td>$ 105.00</td>
</tr>
<tr>
<td>Water, 4,940 sq. ft. @ .35¢ per sq. ft.</td>
<td>$1,729.00</td>
</tr>
</tbody>
</table>

**Electricity/Lighting***

- 2 fixtures, 16,000 lumens @ 47.47 per year: $ 94.94
- 14 fixtures, 5,800 lumens @ $30.20 per year: $ 422.00
- 3 fixtures, 9,500 lumens @ $36.29 per year: $ 108.87

**Incidental Expenses**

- Project management costs 55 lots @ $8 per lot: $ 440.00
- Reserve Fund: $ 620.34

**Total 2002-2003**: $4,755.95

*Lighting costs are based on 29% of total cost because lights are spaced closer together resulting in 40% more lighting than the City standard outside maintenance districts.
The Consumer Price Index (CPI) is based on the San Francisco Model and any increase for the year 2002-2003 will refer back to the prior year’s CPI.

The cost of service shall be the lesser of the actual cost or the prior year’s actual cost adjusted by the annualized Consumer Price Index. In the event that the costs of services provided do not exceed the full amount of the CPI from any one year, such excess CPI shall be carried over from year to year and may be utilized to increase the amount of assessment in future years.

SECTION 6. Assessment Diagram

A copy of the proposed assessment diagram entitled “Landscape and Lighting District No. 22” is attached to this report and by reference is made a part thereof.

SECTION 7. Assessment

The initial cost of constructing improvements is to be borne by the developer. The improvement areas are being established for the benefit of all properties within proposed Landscape and Lighting Maintenance District No. 22. The establishment and maintenance of the improvements is a vital part of the development of Meadowood Phase Two Subdivision. The City Council of Porterville has determined that to insure satisfactory levels of street lighting at Meadowood Phase Two Subdivision, it should become Landscape and Lighting Maintenance District No. 22. The landscape area which benefits the 55 lots consists of 4,940 square feet of landscaped area. A six foot masonry wall, 495 linear feet, will also be maintained. The landscaping improvements will be installed by the developer. The lighting includes 19 street lights. Landscape and Lighting Maintenance District No. 22 will consist of
an area comprising approximately 11.87 acres. A total of 55 lots are proposed to be
developed. The improvements will consist of those improvements described in Section 4 of
this report. The maintenance of the improvements is a vital part of the development for
protection of safety, economic and humanistic values. The City Council has determined that,
for the preservation of values incorporated within this development, all lots will receive equal
benefit from the street lighting.

The determination of benefit takes into consideration the following facts:

1. The purpose of the improvements is to provide security and a favorable aesthetic
appearance of the area.

2. Properly maintained lighting benefits all properties in the development.

3. The lots not adjacent to the improvement area benefit from the maintenance. All
lots not adjacent to the street area benefit equally.

4. The total area on the tentative subdivision of Meadowood Phase Two Subdivision
is 11.87 acres.

5. The total number of lots on the final map for Meadowood Phase Two Subdivision
is 55.

6. The objective is to equally distribute the cost of maintaining the Newcomb Street
landscaping and lighting, on the subdivision map of Meadowood, Phase Two Subdivision.

**Estimated 2002-2003 Assessment**

\[
\text{Assessment (A)} = \frac{\text{Cost (C)}}{\text{Number of Lots (L)}}
\]

\[
A = \frac{4,755.95}{55} = \$86.47 \text{ lot for Meadowood Phase Two Subdivision}
\]

Total developed lot count will be 55 lots. Lots will be assessed in the 2002-2003 fiscal year.

SECTION 8. Order of Events

1. City Council adopts Resolution Instituting Proceedings, appoints an
Engineer of Work and Orders Engineer’s Report.

2. City Council Adopts Resolution of Preliminary Approval of Engineer's Report.

3. City Council Adopts Resolution of Intention to Order the Formation of Landscape and Lighting Maintenance District No. 22 and determines the district.

4. City Council conducts public hearing, considers all testimony and determines to Order the Formation of Landscape and Lighting Maintenance District No. 22, or abandon the proceedings.

5. Every year in June, the Engineer of Work files a report with the City Council.

6. Every year in June, the City Council conducts a public hearing and approves, or modifies and approves the individual assessments.

Harold L. Hill, City Engineer
RESOLUTION NO.: ______

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, CALIFORNIA, ORDERING THE IMPROVEMENTS AND THE FORMATION OF LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT No. 22

WHEREAS, the City Council of the City of Porterville did on the 4th day of June, 2002, adopt its Resolution of Intention No.69-2002 declaring its intention to order the formation of Landscape and Lighting Maintenance District No. 22; and

WHEREAS, the public hearing on the Formation of District No. 22 has been waived by the property owner, subject to Section 22608 of the Landscape and Lighting Act of 1972.

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Porterville does hereby make the following findings and orders:

(1) That the public interest, convenience and necessity require the formation of Landscape Maintenance District No. 22 and the ordering of work.

(2) That Landscape and Lighting Maintenance District No. 22 as set forth and described in Resolution No.69-2002 be formed.

(3) That the work as set forth and described in Resolution No.69-2002 be done.

(4) That the Engineer’s Report and diagram is hereby approved.

(5) That the method of assessment in the Engineer’s Report is hereby approved.

APPROVED AND ADOPTED this 18th day of June, 2002.

_________________________________
Gordon T. Woods, Mayor

ATTEST:

_________________________________
John Longley, City Clerk