PUBLIC HEARING

SUBJECT: IMPROVEMENTS AND THE FORMATION OF LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 23

SOURCE: Parks and Leisure Services Department

COMMENT: At the City Council meeting of March 5, 2002, the City Council approved all resolutions for the formation of Landscape and Lighting Maintenance District No. 23. Resolution No. 71-2002 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 Roby Avenue, Belmont Street, Orange Avenue, Forest Avenue and Parkwest Street. The improvements are shown on Landscape and Lighting District No. 23 Map, known as River View Estates, Phase Three Subdivision. The 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. Landscape and Lighting Maintenance District No. 23 will also share in the cost of the landscape maintenance since it also benefits from the improvement. The property owner approved all assessments. A total of 11 street lights will be maintained in the district. Total cost for maintenance is $663.51 or $18.44 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. 23.

ATTACHMENTS: 1) Resolution Ordering the Improvements and Formation of Landscape and Lighting Maintenance District No. 23; 2) Engineer’s Report; and 3) Map.

ITEM NO.: 26
RESOLUTION NO.: 


WHEREAS, the City Council of the City of Porterville did on the 4th day of June, 2002, adopt its Resolution of Intention No. 71-2002 declaring its intention to order the formation of Landscape and Lighting Maintenance District No. 23; and

WHEREAS, the public hearing on the Formation of District No. 23 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. 23 and the ordering of work.

(2) That Landscape and Lighting Maintenance District No. 23 as set forth and described in Resolution No. 71-2002 be formed.

(3) That the work as set forth and described in Resolution No. 71-2002 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
SECTION 1. Authority for Report

This report is prepared by order of the City Council of the City of Porterville Resolution No. 70-2002. 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 River View, Phase Three Subdivision into Landscape and Lighting Maintenance District No. 23. The City Council has determined that the areas to be lighted will have an effect upon all parcels within the proposed boundaries of the District. The lighting includes street lights on Roby Avenue, Belmont Street, Orange Avenue, Forest Avenue, and Parkwest 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. 23 are to include lighting maintenance only.

SECTION 4. Improvements

Lighting improvements were made by the developer of Landscape and Lighting
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 2001-2002

**Lighting***

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 fixtures, 5,800 lumens @ $30.21 per year</td>
<td>$332.31</td>
</tr>
</tbody>
</table>

**Incidental Expenses**

<table>
<thead>
<tr>
<th>Item</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Management Costs, 36 lots @ $8 per lot</td>
<td>$288.00</td>
</tr>
<tr>
<td>15% Reserve Fund</td>
<td>$43.20</td>
</tr>
</tbody>
</table>

Total 2002-2003 $663.51

*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. 23” 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. 23. The establishment and maintenance of the improvements is a vital part of the development of River View, Phase Three Subdivision. The City Council of Porterville has determined that to insure satisfactory levels of street lighting at River View, Phase Three Subdivision, it should become Landscape and Lighting Maintenance District No. 23. The lighting area which benefits the 36 lots consists of 11 each, 5,800 lumen street lights. Landscape and Lighting Maintenance District No. 23 will consist of an area comprising approximately 12.14 acres. A total of 36 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 River View, Phase Three Subdivision is 12.14 acres.

5. The total number of lots on the final map for River View, Phase Three Subdivision is 36.

**Estimated 2002-2003 Assessment**

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

\[
A = \frac{$663.51}{36} = $18.44 \text{ per lot for River View, Phase Three Subdivision}
\]

Total developed lot count will be 36 lots. Lots will be assessed in the 2002-2003 fiscal year.

SECTION 8. Order of Events


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. 23 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. 23, 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