

March 8, 2004

Honorable Mayor and Members of
The Hermosa Beach City Council

Regular Meeting of
March 23, 2004

**APPROVAL OF A RESOLUTION ORDERING THE PREPARATION OF A REPORT FOR
THE ANNUAL LEVY OF ASSESSMENTS WITHIN THE HERMOSA BEACH
LANDSCAPING AND STREET LIGHTING DISTRICT DURING FY 2004 - 2005**

Recommendation:

Adopt the attached Resolution ordering the preparation of a report for the annual levy of assessments within the Hermosa Beach Landscaping and Street Lighting District during fiscal year 2004 – 2005.

Discussion:

The Landscaping and Street Lighting District provides for the maintenance and operation of the citywide street lighting program and landscaping within street medians and parkways. The Landscaping and Street Lighting District must be renewed annually.

Based on the advice of the City Attorney, the City can continue to levy assessments to pay for the maintenance and operation of streetlights, street medians and parkway landscaping without complying with the balloting requirements of Proposition 218 so long as the assessments are not increased.

In approving the attached Resolution, the City Council authorizes the preparation of a report, which will contain plans, specifications, costs and estimated assessments for the Landscaping and Street Lighting District. As required, the following necessary steps must be taken for the levy and collection of assessments for fiscal year 2004 - 2005 within the City's Landscaping and Street Lighting District.

1. The Director of Public Works files with the City Clerk the report consisting of, among other things, the map and the assessments.
2. The City Council adopts a Resolution approving the report of the Director of Public Works.
3. The City Council adopts a Resolution, which sets the date, time and the place for a public hearing in order to accept input on Landscaping and Street Lighting District 2004 - 2005.
4. The City Council adopts a Resolution confirming map and assessment for Landscaping and Street Lighting District 2004 – 2005 and levy the set assessment rate per unit for the fiscal year commencing July 1, 2004 and ending June 30, 2005.
5. The City Council adopts the fiscal year 2004 - 2005 estimated revenue for secured collections for the Landscaping and Street Lighting District.

Alternative:

RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, ORDERING THE DIRECTOR OF PUBLIC WORKS TO PREPARE A REPORT IN ACCORDANCE WITH ARTICLE 4 OF CHAPTER 1 OF THE “LANDSCAPING AND LIGHTING ACT OF 1972”, BEING DIVISION 15, PART 2 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, FOR THE MAINTENANCE, OPERATION AND SERVICING OF STREET AND SIDEWALK LANDSCAPING, LIGHTING AND APPURTENANT WORK IN THE CITY OF HERMOSA BEACH, CALIFORNIA, FOR THE FISCAL YEAR COMMENCING JULY 1, 2004 AND ENDING JUNE 30, 2005.

HERMOSA BEACH LANDSCAPING AND STREET LIGHTING DISTRICT 2004-2005

WHEREAS, the City Council of the City of Hermosa Beach, California, proposes to renew the existing assessment district designated as “Hermosa Beach Landscaping and Street Lighting District 2003-2004” pursuant to the “Landscaping and Lighting Act of 1972”, being Division 15, Part 2 of the Streets and Highways Code of the State of California; and

WHEREAS, the assessment district includes all parcels of land within the City and shall be redesignated as the HERMOSA BEACH LANDSCAPING AND STREET LIGHTING DISTRICT 2004-2005”; and

WHEREAS, it is proposed to maintain and operate streets and sidewalks within the assessment district, including the operation, maintenance and servicing of landscaping, lighting and appurtenant facilities located in and along such streets and sidewalks.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF HERMOSA BEACH, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Council hereby redesignates the existing Hermosa Beach Landscaping and Street Lighting District 2003-2004 as the Hermosa Beach Landscaping and Street Lighting District 2004-2005.

SECTION 2. That the Director of Public Works is hereby ordered to prepare and file a report in accordance with Article 4 of Chapter 1 of the “Landscaping and Lighting Act of 1972”, being

1 Division 15, Part 2 of the Streets and Highways Code of the State of California, for the maintenance
2 and operation of streets and sidewalks within the assessment district, including the operation,
3 maintenance and servicing of landscaping, lighting and appurtenant facilities located in and along such
4 streets and sidewalks, for the Fiscal Year commencing July 1, 2004 and ending June 30, 2005 all as
5 set forth in this resolution.

6 **SECTION 3.** That a certified copy of this resolution be presented to the Director of Public
7 Works for his/her information and guidance.

8 **SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution;
9 shall cause the same to be entered among the original resolutions of said City; and shall make a minute
10 of the passage and adoption thereof in the records of the proceeding of the City Council of said City in
11 the minutes of the meeting at which the same is passed and adopted.

12 PASSED, APPROVED and ADOPTED this 23rd day of March 2004.

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14 _____
15 PRESIDENT of the City Council and MAYOR of the City
16 of Hermosa Beach, California

17 ATTEST:

18 _____, CITY CLERK

19 APPROVED AS TO FORM:

20 _____, CITY ATTORNEY
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Let the District lapse; thereby increasing the General Fund obligation of approximately \$455,000.

Attachment: Draft resolution ordering preparation of report

Respectfully submitted,

Concur:

Homayoun Behboodi
Associate Engineer

Richard D. Morgan, P.E.
Director of Public Works/City Engineer

Stephen R. Burrell
City Manager