



# CITY COUNCIL AGENDA REPORT



**DEPARTMENT:** Public Works

**MEETING DATE:** May 4, 2004

**PREPARED BY:** David Fike, Director of Public Works *DF*

**AGENDA LOCATION:** Consent \*I-2

**TITLE:** Initiation of Proceedings for the 2004-05 Fiscal Year Citywide Lighting and Landscape Maintenance Assessment District, Resolution No 2004-18

**OBJECTIVE:** Initiate proceedings for the levy and collection of assessments and order the preparation of the Engineer's Report for Fiscal Year 2004-2005 Citywide Lighting and Landscape Maintenance Assessment District.

**BACKGROUND:** The Citywide Lighting and Landscape Maintenance Assessment District has been in existence since the early 1980's. It provides funding for the maintenance of public street lighting and traffic signals, maintenance of street trees; maintenance of landscaping of street median and parkway areas including East Duarte Road, Myrtle Avenue, Huntington Drive, Cypress Avenue and Maple Avenue and maintenance of landscaping of parkway areas for the Gold Hills Development area.

The annual review procedures include

- Initiate the proceedings for the levy and collection of assessments and order the preparation of the Engineer's Report.
- Review and approve the Engineer's Report
- Acknowledge intent to levy and collect assessments, including setting a time and place to conduct a Public Hearing.
- Conduct a Public Hearing and confirm the levy and collection of assessments

**ANALYSIS:** The annual proceedings are to be initiated by adoption of the enclosed Resolution No. 2004-18. The review and Engineer's Report procedures will be submitted to the City Council for their consideration at their May 4, 2004 meeting. A Public Hearing is proposed for City Council consideration at their June 15, 2004 meeting.

**RECOMMENDATION:** Staff recommends the City Council initiate the proceedings for the levy and collection of assessments and order preparation of the Engineer's Report for the Fiscal Year 2004-2005 Citywide Lighting and Landscape Maintenance District

**COUNCIL ACTION REQUIRED:** If the City Council concurs, the appropriate action would be a motion to Adopt Resolution No 2004-18 initiating proceedings and ordering preparation of the Engineer's Report.

**\*I-2**

**RESOLUTION NO. 2004-18**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONROVIA, INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE CITYWIDE LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT FOR FISCAL YEAR 2003-2004 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

**THE CITY COUNCIL OF THE CITY OF MONROVIA HEREBY FINDS, DETERMINES, ORDERS AND RESOLVES AS FOLLOWS:**

**Section 1.** Pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act"), the City Council of the City of Monrovia desires to initiate proceedings for the levy and collection of assessments pursuant to the Act and as provided by Article XIID of the California Constitution against parcels of land within an existing assessment district designated "City of Monrovia Citywide Lighting and Landscaping Maintenance District" (the "District") for fiscal year commencing July 1, 2004 and ending June 30, 2005, to pay for the costs and expenses of the improvements described in Section 3 hereof.

**Section 2.** The boundaries of the District are coterminous with the boundaries of the City of Monrovia.

**Section 3.** The proposed improvements for the District are briefly described as the maintenance and servicing of public streets and sidewalks within the District, including:

(i) the maintenance and servicing of public lighting facilities, including traffic signals, and appurtenant facilities located in and along public streets and sidewalks within the City;

(ii) the maintenance and servicing of landscaping, including trees, shrubs, grass and other ornamental vegetation, and appurtenant facilities located in parkways and raised medians in, on, and along the public streets within the City;

(iii) the maintenance and servicing of parkway landscaping and appurtenant facilities along the north side of Duarte Road between Myrtle Avenue and Mountain Avenue; and

(iv) the maintenance and servicing of landscaping, including trees, shrubs, grass and other ornamental vegetation, and appurtenant facilities located in the parkway along Myrtle Avenue north of Scenic Drive.

“Maintenance” means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities, and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities, or appurtenant facilities; providing for the life, growth health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti. “Servicing” means the furnishing of electric energy for the public lighting facilities or the lighting or operation of the landscaping or appurtenant facilities and water for the irrigation of the landscaping and the maintenance of the public lighting facilities or appurtenant facilities.

**Section 4.** Public property owned by any public governmental entity or agency and in use in the performance of a public function which is included within the boundaries of the District shall not be subject to assessments to be made under these proceedings to pay for any of the costs and expenses of the improvements; provided, however, that it is the intention of the City Council that public properties owned by the Monrovia Redevelopment Agency shall be assessed their proportional share of the assessments.

**Section 5.** The City Council hereby designates the Director of Public Works as the Engineer for the purposes of these assessment proceedings (the “Engineer”) and hereby authorizes and directs the Director of Public Works to have prepared and filed with the City Clerk a written Engineer’s Report in connection with proceedings for F.Y. 2004-2005 in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Act.

**PASSED, APPROVED AND ADOPTED** this 4<sup>th</sup> day of May, 2004 by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**EXCUSED:**

BY:

\_\_\_\_\_  
Rob Hammond, Mayor  
City of Monrovia, California

ATTEST:

\_\_\_\_\_  
Linda B. Proctor, CMC, City Clerk  
City of Monrovia, California

APPROVED AS TO FORM:

\_\_\_\_\_  
Craig A. Steele  
City Attorney

**STATE OF CALIFORNIA** )  
**COUNTY OF LOS ANGELES** ) §  
**CITY OF MONROVIA** )

I, LINDA B. PROCTOR, CMC, City Clerk of the City of Monrovia, California, do hereby certify that the foregoing Resolution No. 2004-18 Initiating Proceedings for the Levy and Collection of Assessments within the City of Monrovia Citywide Lighting and Landscape Maintenance District for Fiscal Year 2004-2005 and Ordering the Preparation of the Engineer's Report was duly adopted and passed at a regular meeting of the City Council on the 4<sup>h</sup> day of May, 2004 by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**EXCUSED:**

ATTEST

\_\_\_\_\_  
Linda B. Proctor, CMC, City Clerk  
City of Monrovia, California