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Staff Report

ITEM NO. 7

To: Lemoore City Council
From: Nanci Lima, City Clerk
Date: May 30, 2007
Subject: Landscaping and Lighting Maintenance District – Resolution 2007-21 – Intention to Levy and Collect the Annual Assessments for Landscaping and Lighting Maintenance District No. 1, (LLMD) Zones 5, 7, and 10 for the City of Lemoore

Discussion:

The resolution before the Council begins the Proposition 218 process of increasing, levying, and collecting the Annual Assessments for the LLMD Zones 5, 7, and 10. The City Engineer will prepare and file with the City Clerk (prior to June 5, 2007) a report entitled "Engineer's Report of the City of Lemoore Landscaping and Lighting Maintenance District No., 1, Zones 5, 7, and 10, 2007-2008 Tax Year" (will be given to Council prior to Tuesday). Said report contains a description of the existing improvements, the boundaries Zones 5, 7 and 10 of the LLMD, the amount of the proposed increase in assessments and change in assessment methodology for these three zones, and other information required by law. The proposed increases are as follows:

Zone 5 - Wildflower Meadows from \$62.32 to \$82.32 w/cost escalator
Zone 7 – Silverado Estates from \$78.23 to \$120.00 w/cost escalator
Zone 10 – Avalon from \$125.76 to \$132.76 w/cost escalator

Under Proposition 218, before the existing assessments in these Zones can be increased or the assessment rate and methodology changed, the Council must conduct a "property owner ballot proceeding" by mail within each Zone. If more property owners within one of the Zones submit ballots against the assessment increase than the owners who submit ballots in favor of the increase, there is a "majority protest" for that Zone and the assessments cannot be increased or the rate and methodology changed. If there is no "majority protest," the Council can approve the assessment increase and change in rate and methodology for that Zone. Notice and ballots will be mailed to property owners in each Zone at least 45 days before the public hearing, August 7, 2007. Returned ballots will be tabulated for each Zone on Tuesday, August 7, 2007 at the regular meeting of the City Council, after the public hearing is closed.

A separate Resolution of Intention will be presented to the Council on June 19, 2007, for the other zones in the LLMD that are not having the assessments changed or increased above levels already approved by the owners in those zones.

Budget Impact:

If the increases are approved the funds would go into the LLMD account to cover the cost for maintaining those zones less the cost of the election.

Recommendation:

Council by motion approved Resolution 2007-21 – Intention to Levy and Collect the Annual Assessments for Landscaping and Lighting Maintenance District No. 1, (LLMD) Zones 5, 7, and 10 for the City of Lemoore.