CITY OF MARTINEZ **CITY COUNCIL AGENDA**
May 6, 2015

TO: Mayor and City Council

FROM: Tim Tucker, City Engineer

SUBJECT: Levying Assessments for LLAD 1988-1 (Center Martinez) for Fiscal Year 2015-16

DATE: April 21, 2015

RECOMMENDATION:

Consider levying assessments for Landscaping and Lighting Assessment District, 1988-1 (Center Martinez) for fiscal year 2015-16:

A. Resolution describing improvements and changes for fiscal year 2015-16.
B. Resolution declaring the City's intent to levy and collect assessments, setting the date for a public hearing on June 3, 2015 and directing the City Clerk to publish required notices.
C. Approving Engineer's Report for Landscape and Lighting Assessment District 1988-1, Center Martinez.

BACKGROUND:

Section 13.29.010, Martinez Municipal Code, adopted on March 18, 1981, incorporates the Landscaping and Lighting Act of 1972 in the Martinez Municipal Code. This allowed the City to form Assessment Districts for the purpose of maintaining landscaping and lighting facilities over the public rights-of-way, easements and properties.

No boundary changes, no new improvements or substantial changes in maintenance are proposed for fiscal year 2015-16.

The recommendation for FY15-16 is no increase in assessments. Assessments in this district provide for continued landscape maintenance, weed abatement, irrigation and improvements as described in the Engineer's Report. Energy costs and street lighting costs are not included in this district. The budgeted General Fund allocation of $4,000 has remained the same for fiscal year 2015-16. This General Fund contribution will avoid running the district into a negative fund balance and is for the general benefit to the City and surrounding areas. An election in accordance with Proposition 218 will be conducted by staff over the next year in an attempt to raise the assessment to cover the cost of expenses within the district.

The funds collected in this assessment district will be used only within the boundaries of the district, and any deficit or surplus remaining in the account from prior years will be carried over to next year's assessment. The City Engineer, a Registered Civil Engineer, is designated as a qualified "Engineer" for the purposes of performing duties pursuant to the Martinez Municipal Code. The Engineer's Report is on file in the office of the City Clerk.

FISCAL IMPACT:

The General Fund contribution of $4,000 for fiscal year 2015-16 is necessary in order to avoid a negative fund balance for the district. The maintenance of the district is for the general benefit of the City and the surrounding areas. If the assessments are not levied, alternative funding sources will need to be identified to pay for the annual maintenance costs.

ACTION:

A. Motion adopting resolution describing improvements and changes.
B. Motion adopting resolution of intention to levy and collect assessments, to set the date for a public hearing on June 3, 2015 and direct City Clerk to give and publish required notices.
C. Motion approving the Engineer's Report for Landscaping and Lighting Assessment District 1988-1, Center Martinez.

Attachments:
Resolutions
Map

Engineer's Report & Assessment Diagrams on file with City Clerk

APPROVED BY:
Rob Braulik, City Manager

RESOLUTION NO. -15

DESCRIBING IMPROVEMENTS OR CHANGES FOR FISCAL YEAR 2015-16 LANDSCAPING AND LIGHTING DISTRICT 1988-1 "CENTER MARTINEZ"

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 1988-1 (The Center/Costco), and did on April 20, 1988 pursuant to proceedings duly had, adopt its Resolution No. 66-88, a Resolution Ordering Formation of Territory Into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the City Council of the City of Martinez, Contra Costa County, California, has formed Landscaping and Lighting Assessment District No. 1988-1 pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code Sections 22500 through 22674) and City of Martinez Ordinance No. 941 C. S., passed on March 18, 1981, adopting Section 13.29.010 of the Martinez Municipal Code; and

WHEREAS, the location of the proposed District is commonly known as Minor Subdivision, MS# 555-87 (135PMZ1), The Center Martinez; and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of the Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, for fiscal year 2015-16; and

NOW, THEREFORE, BE IT RESOLVED the improvements to be constructed or installed, including the maintenance or servicing, or both, are more particularly described in Exhibit "A" hereto attached and by reference incorporated herein.

BE IT FURTHER RESOLVED the costs and expenses of said improvements, including the maintenance or servicing, or both, are to be made chargeable upon said District, the exterior boundaries of the District are the composite and consolidated area more particularly shown on the map entitled "Proposed Boundaries of Landscaping and Lighting District 1988-1 (The Center Martinez)", which is on file in the office of the City Clerk of the City of Martinez to which reference is hereby made for further particulars. The map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED the City Council allocate a General Fund contribution of $4,000.00 to account number LL915.

* * * * * *

I HEREBY CERTIFY the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 6th day of May, 2015, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

EXHIBIT "A"

THE CENTER MARTINEZ LANDSCAPING AND LIGHTING DISTRICT 1988-1

1. The construction or installation, including the maintenance or servicing, or both, thereof, irrigation system and public landscaping, including trees, shrubs, grass, or other controlled vegetation.

RESOLUTION NO. -15

INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT AND LIGHTING DISTRICT 1988-1(THE CENTER MARTINEZ) FOR FISCAL YEAR 2015-16

WHEREAS, the City Council of the City of Martinez, Contra Costa County, California, has formed Landscaping and Lighting Assessment District No. 1988-1 pursuant to the Landscaping and Lighting Act of 1972 (Streets and Highways Code Sections 22500 through 22674) and City of Martinez Ordinance No. 941 C. S., passed on March 18, 1981, adopting Section 13.29.010 of the Martinez Municipal Code; and

WHEREAS, the location of the proposed District is commonly known as Minor Subdivision, MS# 555-87 (135PMZ1), The Center Martinez, recorded August 29, 1988 in Book 135 of Parcel Maps, Page 21, Contra Costa County Records; and

WHEREAS, the existing improvements to be maintained include landscaped planting areas, irrigation system, and servicing thereof within the public right-of-way; and

WHEREAS, the City Council of the City of Martinez, Contra Costa County, California, intends to levy and collect assessments within the Assessment District for the fiscal year stated herein; and

WHEREAS, an Engineer's Report is on file with the City Clerk with a full and detailed description of the improvements, maintenance thereof, the boundaries of the assessment district and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the district.

NOW, THEREFORE, BE IT RESOLVED a public hearing will be held June 3, 2015 at 7:00 P.M. by the City Council in City Hall, 525 Henrietta Street, Martinez, on the question of the Assessment District and the levy of the proposed assessment.

BE IT FURTHER RESOLVED all of the recitals contained hereinabove are hereby incorporated by this reference; and

BE IT FURTHER RESOLVED Richard G. Hernandez, City Clerk, is hereby directed to file this resolution on said project, and is hereby directed to give notice of above said public hearing in accordance with Section 22553 of the Streets and Highways Code.

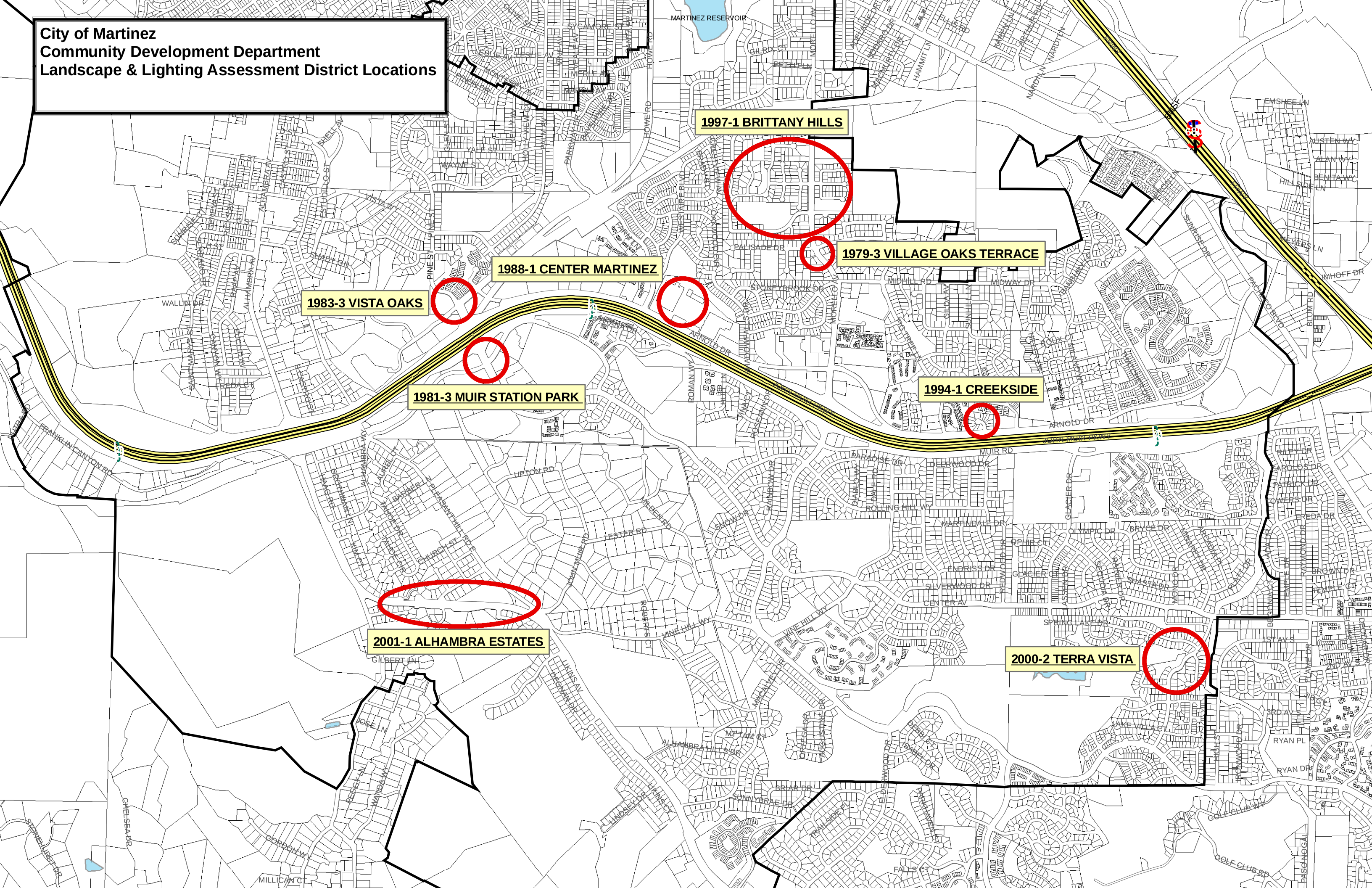
* * * * * *

I HEREBY CERTIFY the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 6th day of May, 2015, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

City of Martinez
Community Development Department
Landscape & Lighting Assessment District Locations