



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
June 20, 2007**

TO: Mayor and City Council

FROM: Tim Tucker, City Engineer

SUBJECT: Levying Assessment for LLAD 1994-1 (Creekside) for Fiscal Year 2007-2008

DATE: June 8, 2007

RECOMMENDATION:

Approve Engineer's Report and any changes to the Landscaping and Lighting Assessment District. Also approve an intention of levy and collect assessments, set July 18, 2007 as the public hearing date.

BACKGROUND:

Section 13.29.010, Martinez Municipal Code, adopted on March 18, 1981, incorporates the Landscaping and Lighting Act of 1972 in the 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 the maintenance thereof are proposed for the fiscal year 2007-08.

The assessment for this District is proposed to be lowered \$50.00 per parcel. Assessments in this District will 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 funds collected will be used only within the boundaries of the District, and any deficit or surplus left in the account from prior years will be carried over to the next year's assessment. A Registered Civil Engineer is to be designated as a qualified "Engineer" for the purposes of performing duties of Code. The Engineer's Report is on file in the office of the City Clerk.

FISCAL IMPACT:

There is no impact to the City budget if the assessment is levied. If the assessment is not levied, alternate funding sources will need to be identified to pay for annual maintenance costs.

ACTION:

For Landscaping and Lighting Assessment District 1994-1, Creekside:

1. Adopt resolution describing improvements and changes.
2. By motion, approve Engineer's Report.
3. Adopt resolution of intention of levy and collect assessments, set date for public hearing on July 18, 2007 and Direct City clerk to give and publish all required notices.

ATTACHMENTS:

Resolutions, Map

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

APPROVED BY:



City Manager

APPROVED BY:



Department Head

RESOLUTION NO. -07

**DESCRIBING IMPROVEMENTS OR CHANGES FOR FISCAL YEAR 2007-08
LANDSCAPING AND LIGHTING DISTRICT 1994-1 (CREEKSIDE)**

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, 1994-1 (Creekside), and did, on May 15, 1995, pursuant to proceedings duly had, adopt its Resolution No. 47-95, 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. 1994-1 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 Contra Costa County Subdivision No. 7586 (Creekside); and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said 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, thereof for the fiscal year 2007-08.

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

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on a map entitled "Proposed Boundaries of Landscaping and Lighting District 1994-1 (Creekside)", thereof on file in the office of the City Clerk of the City of Martinez to which reference is hereby made for further particulars. Said 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.

* * * * *

I HEREBY CERTIFY that 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 20th day of June, 2007 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

EXHIBIT "A"

CREEKSIDE LANDCAPING AND LIGHTING DISTRICT 1994-1

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

RESOLUTION NO. -07

**INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR LANDSCAPING AND
LIGHTING ASSESSMENT DISTRICT AND LIGHTING DISTRICT 1994-1
(CREEKSIDE) FOR FISCAL YEAR 2007-08**

WHEREAS, the City Council of the City of Martinez, Contra Costa County, California, has formed Landscaping and Lighting Assessment District No. 1994-1 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 Contra Costa County Subdivision No. 7586 (Creekside); 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 that a public hearing will be held on July 18, 2007 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 that all of the recitals contained hereinabove are hereby incorporated by this reference; and

BE IT FURTHER RESOLVED that 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 that 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 20th day of June, 2007 by the following vote:

AYES :

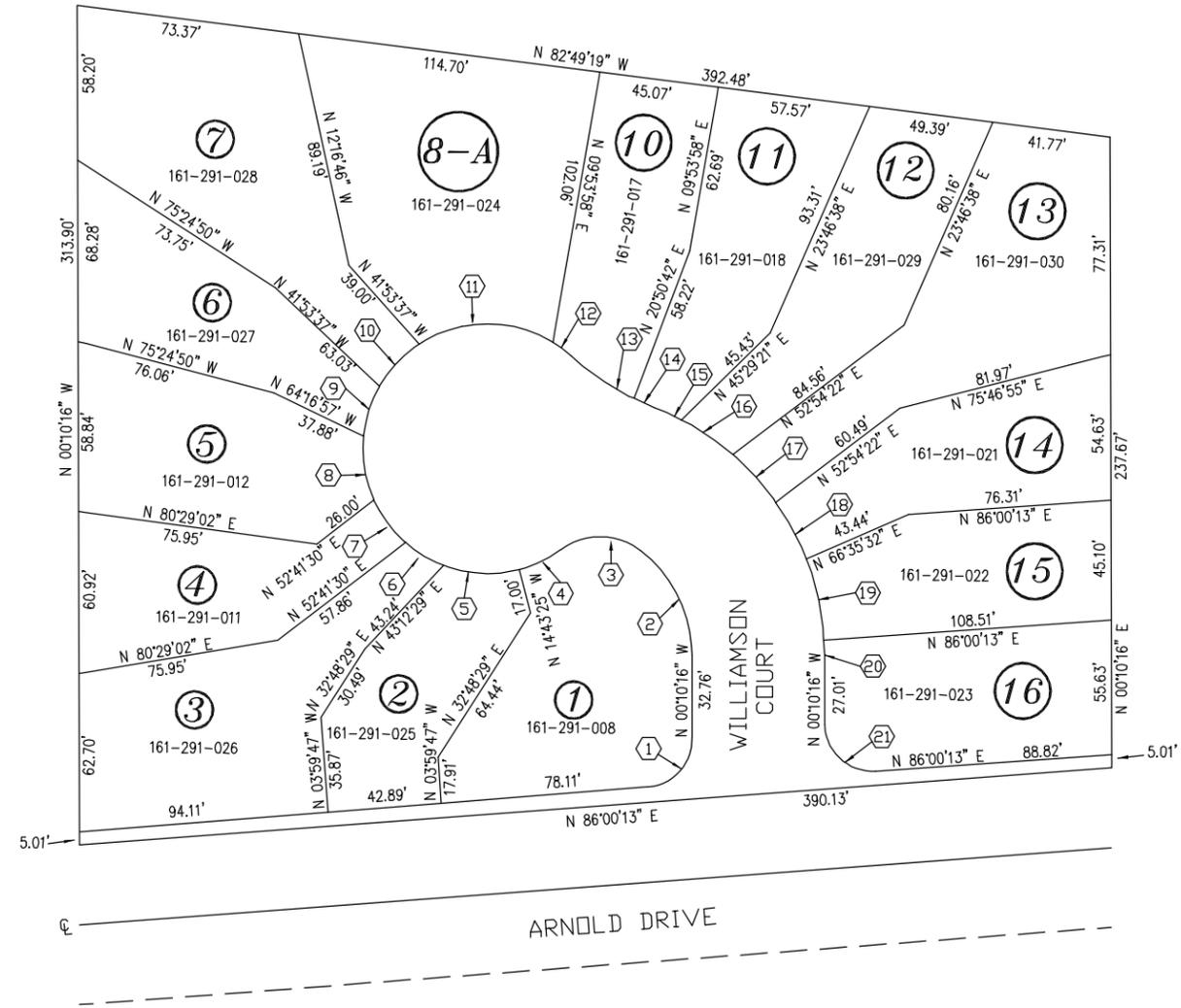
NOES :

ABSENT :

RICHARD G. HERNANDEZ, City Clerk
CITY OF MARTINEZ

ASSESSMENT DIAGRAM LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1994-1 CREEKSIDE

FOR FISCAL YEAR 2007-2008
CITY OF MARTINEZ COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



CURVE DATA

① R=18.00' U=86°10'29' L=27.07'	⑫ R=47.00' U=10°40'10' L=8.75'
② R=50.00' U=51°59'59' L=45.38'	⑬ R=100.00' U=16°28'46' L=28.76'
③ R=25.00' U=74°00'42' L=32.39'	⑭ R=100.00' U=04°45'13' L=8.30'
④ R=47.00' U=21°27'32' L=17.60'	⑮ R=100.00' U=06°54'55' L=12.07'
⑤ R=47.00' U=35°21'09' L=29.00'	⑯ R=100.00' U=13°26'06' L=23.45'
⑥ R=47.00' U=24°31'40' L=20.12'	⑰ R=100.00' U=11°35'09' L=20.22'
⑦ R=47.00' U=24°36'23' L=20.18'	⑱ R=100.00' U=13°39'35' L=23.84'
⑧ R=47.00' U=24°22'50' L=20.00'	⑲ R=100.00' U=17°54'05' L=31.24'
⑨ R=47.00' U=24°22'50' L=20.00'	⑳ R=100.00' U=05°21'43' L=9.36'
⑩ R=47.00' U=27°01'58' L=22.18'	㉑ R=18.00' U=93°49'31' L=29.48'
⑪ R=94.00' U=65°58'35' L=54.12'	

LEGEND

	ASSESSMENT DISTRICT BOUNDARY
	PROPERTY LINE
	ASSESSMENT NUMBER
	ASSESSOR'S PARCEL NUMBER
	CURVE DATA