

COUNCIL AGENDA: JULY 16, 2013

**SUBJECT:** PRELIMINARY ANNUAL ENGINEER'S REPORT OF ASSESSMENTS FOR LIGHTING & LANDSCAPE MAINTENANCE DISTRICTS AND SETTING A PUBLIC HEARING

**SOURCE:** PARKS AND LEISURE SERVICES DEPARTMENT

**COMMENT:** The City has created 64 lighting and landscape maintenance districts (LMDs) since 1989. A separate district has been established for each new land development. Many of these districts only contain street lighting, for which the assessment was to collect only a portion of the street lighting cost. Other districts have landscape improvements installed within public right-of-ways or public properties in addition to the street lighting. In these instances, the landscaping has been established to provide a more aesthetic appearance and a healthier environment. Only the property owners who directly benefit from improvements are assessed for the maintenance. Annually, a process of evaluating maintenance needs and establishing an assessment for each LMD must be followed. In an effort to better facilitate the needs of the district, staff has been analyzing fund balances and deficits of each district as well as projected expenditures and reserves. Based on the analysis, staff was able to determine that not all districts will be assessed this fiscal year. These fund balances will be reviewed on a yearly basis to determine funding needs for maintenance, as well as determining assessment requirements.

The first attached Resolution is necessary to initiate the annual Engineer's Report, which will show the proposed assessments for the 2013-2014 Fiscal Year. The second Resolution provides preliminary approval to the Engineer's Report for Fiscal Year 2013-2014. The comprehensive annual Engineer's Report is provided as an attachment. Once the assessments are approved by the City Council, they are transmitted to the County of Tulare for placement upon the tax bill of the property owners and indicated as a special assessment. The third Resolution declares the intent of the City Council to levy and collect the assessments for Fiscal Year 2013-2014, and sets a Public Hearing on the assessments for August 6, 2013.

27 Director Amc Appropriated/Funded J City Manager ITEM NO.: 12

**RECOMMENDATION:**

That the City Council:

1. Adopt Resolutions:
  - a. Ordering the preparation of an Engineer's Report for the Landscape and Lighting Maintenance Districts for the Fiscal Year 2013-2014;
  - b. Giving preliminary approval to the Engineer's Report for the Landscape and Lighting Maintenance Districts for Fiscal Year 2013-2014; and
  - c. Declaring the intent to levy and collect assessments for Fiscal Year 2013-2014, and offering a time and place for hearing objections thereto.
2. Further, that the City Council set a public hearing for 6:30 PM on August 6, 2013, regarding the Engineer's Report and proposed assessments for the Landscape and Lighting Maintenance Districts for Fiscal Year 2013-2014.

**ATTACHMENTS:**

1. Resolution ordering preparation of Engineer's Report.
2. Resolution of preliminary approval to Engineer's Report.
3. Engineer's Report for Fiscal Year 2013-2014.
4. Resolution declaring intent to levy assessments and set public hearing.

RESOLUTION NO.: \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE  
ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR LANDSCAPE  
AND LIGHTING MAINTENANCE DISTRICTS FOR FISCAL YEAR 2013-2014**

**WHEREAS**, the City Council of the City of Porterville has determined that the public interest, convenience and necessity required the maintenance of lighting systems, landscape planting materials, irrigation systems and appurtenances in designated areas of the City; and

**WHEREAS**, the City has established assessment districts to recover the cost of maintenance work; and

**WHEREAS**, Section 22622 of the California Streets and Highways Code requires that an Engineer's Report be prepared and filed annually, outlining the assessments to be levied against the properties within the assessment district.

**NOW, THEREFORE**, be it resolved by the City Council of the City of Porterville that:

1. Baldomero Rodriguez is appointed "Engineer of Work" for preparation of the Engineer's Report.
2. The Engineer of Work is ordered to prepare the report for Fiscal Year 2013-2014 in accordance with Article 4, Division 15, of the Streets and Highways Code, "Landscaping and Lighting Act of 1972" of the State of California.

**PASSED, APPROVED AND ADOPTED** this 16<sup>th</sup> day of July 2013.

\_\_\_\_\_  
Virginia R. Gurrola, Mayor

ATTEST:  
John D. Lollis, City Clerk

By: \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk

**RESOLUTION NO.: \_\_\_\_\_-2013**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE GIVING  
PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR FISCAL YEAR 2013-2014  
FOR LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS**

**WHEREAS**, on the 16<sup>th</sup> day of July 2013, said City Council did adopt a Resolution directing the Engineer of Work to make and file with the City Clerk of said City a report in writing for Fiscal Year 2013-2014 as required by the Landscaping and Lighting Act of 1972; and

**WHEREAS**, said Engineer of Work has made and filed with the City Clerk of said City a report in writing as called for in said Resolution and under and pursuant to said Act, which report has been presented to this Council for consideration; and

**WHEREAS**, said Council has duly considered said report and each and every part thereof, and finds that each and every part of said report is sufficient, and that said report, nor any part thereof, requires or should be modified.

**NOW, THEREFORE**, be it resolved by the City Council of the City of Porterville that:

1. The Engineer's Estimate of the itemized costs and expenses of said work and of the incidental expenses in connection therewith, contained in said report be, and each of them are hereby, preliminarily approved and confirmed.
2. The diagram showing the Assessment Districts referred to and described in said report (the boundaries of the subdivision of land within each said Assessment District) are approved and confirmed as the same as existed at the time of passage of Resolution originally establishing each District.
3. The proposed assessments upon the subdivisions of land in said Assessment Districts are in proportion to the estimated benefit to be received by said subdivisions, respectively, from said normal and customary maintenance and of the incidental expenses thereof, as contained in said report, and are hereby preliminarily approved and confirmed.
4. Said report shall stand as the Engineer's Report for the purposes of all subsequent proceedings, and pursuant to the proposed district.

Reference is hereby made to said maps for further, full and more particular description of said Assessment District, and the same maps so on file shall govern for all details as to the extent of each said Assessment District.

**PASSED, APPROVED AND ADOPTED** this 16<sup>th</sup> day of July 2013.

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Virginia R. Gurrola, Mayor

ATTEST:

John D. Lollis, City Clerk

By:

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Patrice Hildreth, Chief Deputy City Clerk

**CITY OF PORTERVILLE, CALIFORNIA  
ENGINEER'S REPORT FOR  
LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS  
2013-2014 FISCAL YEAR**

**SECTION 1. Authority for Report**

This report is prepared by order of the City Council of the City of Porterville, Resolution Number. The report is in compliance with the requirements of Chapter 1, Article 4, and Chapter 3, Division 15 of the Streets and Highways Code, State of California (Landscaping and Lighting Act of 1972).

**SECTION 2. General Description**

The City Council has heretofore elected to place the permanent landscape area along Westwood Street of Westwood Estates, Unit 1, 2, and 3 subdivisions, into Landscape and Lighting Maintenance District No. 1 and to annex the permanent landscape areas along the perimeter streets of the following developments:

1. Annexation No. 2 = Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street
2. Annexation No. 4 = LaVida Park Subdivision green belt, east on Plum Way Street and the entries east along Beverly Street
3. Annexation No. 5 = Westwood Estates #4 Subdivision, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip
4. Annexation No. 14 = Wisconsin Manor I Subdivision located on the corner of Wisconsin Way and Mulberry Avenue
5. District No. 5 = Castle Woods Phase II Subdivision located at Median Avenue and Salisbury.
6. District No. 6 = Creekview Estates located between Porter Creek Avenue and the property line in Porter Slough.
7. District No. 12 = Westwood Estates, Unit 5, Phase 2, located on Henderson Avenue and Brandy Way
8. District No. 18 = Ohio North Subdivision located on Ohio Way Street
9. District No. 20 = West View Place Subdivision located on Median Avenue
10. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue and Santa Maria Avenue
11. District No. 31 = Williams Ranch, Phase 2 and 3 Subdivision on Westwood Street between Henderson and Westfield Avenues
12. District No. 35 = Meadow Breeze, Phase 1 Subdivision located on Pioneer Avenue and Salisbury Street

### **SECTION 3. Plans and Specifications**

The plans and specifications for the landscaping have been prepared by the developers' engineers and have been approved as part of the improvement plans for the various developments. The plans and specifications for the landscaping are in conformance with the requirements of the City Council's conditions of approval of said Parcel Maps and Subdivisions.

Reference is hereby made to said subdivision maps, parcel maps and assessment diagrams for the exact location of the landscape areas. The plans and specifications by reference are hereby made a part of this report to the same extent as if said plans and specifications were attached hereto.

### **SECTION 4. Improvements**

Landscaping improvements will include landscaping the entry ways, medians and areas behind subdivision block wall.

### **SECTION 5. Estimated Maintenance Costs**

Maintenance is currently being performed by City staff and contract services. Accordingly, the City's record-keeping will be required to be sufficiently accurate to detail the expenses incurred on behalf of each individual annexation so that these costs may be recaptured through assessments.

The City Finance Department presently maintains records of expenditures for each annexation. Because of the restrictions placed upon municipal budgets through the passage of Proposition No. 218 and the lag between the time assessments are made and revenues are collected by the City, it is appropriate that assessments be made in advance of the anticipated expenditures to provide working capital for the maintenance effort. The fund balance for some districts would appear to justify a refund, however, it is clear that some of the costs for some of the districts have not been properly recognized. The staff is committed to identifying the discrepancies and rectifying during this fiscal year. Refunds have been included in the form of one time adjustments to the assessment reducing the amount actually assessed per lot.

The assessments include costs accumulated to date and estimated costs for the 2013-2014 fiscal year for Landscape and Lighting District No. 1, including Annexations 1 through 19 and District 2 through 46.

### **SECTION 6. Assessment Diagram**

Copies of the assessment diagrams were attached to each individual Engineer's Reports and were labeled "Exhibit A". An Index Map is attached to this report identifying the location of the original district and each annexation.

### **SECTION 7. Assessment**

The City Council, in forming Landscape and Lighting Maintenance District No. 1 and in annexing territories to the district, has maintained the philosophy that the sub divider or developer is responsible for the plantings, irrigation system and the maintenance of the improvements until they become well established. The assessments for maintenance thus only include anticipated costs incurred subsequent to the acceptance of the system by the City Council on behalf of the Maintenance District.

An exception to this philosophy is at Annexation No. 1, Airport Industrial Park, where the owners and the City will share costs for the plantings and irrigation system and the maintenance of improvements.

The maintenance of the landscaping is vital for the protection of both economic and humanistic values of the development. The City Council has heretofore determined that for the preservation of values incorporated within developments adjacent to landscaped areas, the landscaped areas should be included in a maintenance district to ensure satisfactory levels of maintenance. The establishment of the assessment for each development must be on a unit by unit basis which will preserve the integrity of each project. There should be a review of each annexation and District to determine if there are changed conditions that effect the assessment.

The determination of benefit for the lots within the districts takes into consideration the facts for the original districts and all annexations thereto.

**Following are estimated maintenance costs and assessments for each District and Annexation.**



Annexation No. 4 - La Vida Park Fiscal Year 2013-2014 Maximum Assessment \$2469.42
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*Estimated Accumulated Costs 2012-2013* \$ 1,644.16

Maintenance: 3,790 sq.ft. of landscaping area, 437 feet of wall  
 Project Management, 17  
 Fund Balance: \$ 1,879.38

1. Landscape	3,790	@	\$	0.190	=	\$ 720.10	/sf
2. Graffiti Maintenance	3,790	@	\$	0.090	=	\$ 341.10	/sf
3. Tree Maintenance	3,790	@	\$	0.150	=	\$ 568.50	/sf
4. Postage	3,790	@	\$	0.020	=	\$ 75.80	/sf
5. Utilities	3,790	@	\$	0.250	=	\$ 947.50	/sf
6. Printing	3,790	@	\$	0.020	=	\$ 75.80	/sf
7. Repair/Maintenance	3,790	@	\$	0.030	=	\$ 113.70	/sf
			\$	<u>0.750</u>	=	<u>\$ 2,842.50</u>	

Maintenance	3,790 x	\$	0.750	=	\$ 2,842.50
Administrative Fee	\$ 2,842.50 x	\$0.10			\$ 284.25
County Fee	17 @	\$1.00			\$ 17.00
Reserves 15% of total cost of maintenance					\$ 426.38
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit					\$ -
					<u>\$ 3,570.13</u> /17=\$210.00

**Estimated Cost Per Year** \$ 3,570.13 = \$ 210.01  
17

**Current Assessment** \$ 2,469.42 = \$ 145.26  
17

**New Assessment** \$ 2,469.42 = \$ 145.26  
17

Westwood Estates - Districts 1, 12 and Annexation 5  
 2013-2014 Fiscal Year  
 Maximum Assessment \$1001.39

*Estimated Accumulated Costs 2012-2013* \$ 17,721.34

Maintenance: lighting: 47,462 sq.ft. of landscaping area  
 Project Management, 207 lots  
 Fund Balance: \$ 29,247.80

		Formula		
1. Landscape/Tree Maintenance	47,462	@	0.17 =	\$ 8,068.54 /sf
2. Graffiti Maintenance	47,462	@	0.02 =	\$ 949.24 /sf
3. Postage	47,462	@	0.005 =	\$ 237.31 /sf
4. Utilities	47,462	@	0.12 =	\$ 5,695.44 /sf
5. Printing	47,462	@	0.005 =	\$ 237.31 /sf
6. Repair/Maintenance	47,462	@	0.02 =	\$ 949.24 /sf
			\$ 0.34	\$ 16,137.08

Maintenance	47,462 sq.ft.	x	0.34	\$ 16,137.08
Administrative Fee	\$ 16,137.08	x	\$0.10	\$ 1,613.71
County Fee	207 lots	@	1.00/per lot	\$ 207.00
Reserves	15% of total cost of maintenance			\$ 2,420.56
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit				\$ -
				\$ 20,378.35 /207=\$98.44

**Estimated Cost Per Year** \$ 20,378.35 = \$98.44  
207

**New Assessment** \$ 20,378.35 = \$ 98.44  
207



District No. 5 Castle Woods Phase 2 Subdivision

Fiscal Year 2013-2014

Maximum Assessment \$1.021.48  
Approved CIP 2002 ( Adjusted 2008)

*Estimated Accumulated Costs 2012-2013* \$ 1,611.57

Maintenance: 1,715 sq.ft. of landscaping area  
 Project Management: 25 lots  
 Fund Balance: \$ (2,513.42)

1. Landscape	1,715	@	\$ 0.190	=		\$ 325.85	/sf
2. Graffiti Maintenance	1,715	@	\$ 0.090	=		\$ 154.35	/sf
3. Tree Maintenance	1,715	@	\$ 0.150	=		\$ 257.25	/sf
4. Postage	1,715	@	\$ 0.020	=		\$ 34.30	/sf
5. Utilities	1,715	@	\$ 0.250	=		\$ 428.75	/sf
6. Printing	1,715	@	\$ 0.020	=		\$ 34.30	/sf
7. Repair/Maintenance	1,715	@	\$ 0.030	=		\$ 51.45	/sf
			\$ 0.750	=		\$ 1,286.25	

Maintenance	1,715	x	0.75	=		\$ 771.75	
Administrative Fee	\$ 1,286.25	x	0.10		\$0.10	\$ 128.63	
County Fee	25	x	1.00/per lot		\$1.00	\$ 19.00	
Reserves 15% of total cost of maintenance						\$ 192.94	
Eliminate deficit fund balance over 10 years - 10% of fund deficit						\$ 236.09	
						\$ 1,348.40	/25=\$ 53.94

**Estimated Cost Per Year** \$ 1,348.40 = \$ 53.94  
25

**Current Assessment** \$ 1,004.41 = \$ 40.18  
25

**New Assessment** \$ 1,004.41 = \$ 40.18  
25

District No. 6 Creekview Subdivision  
 Fiscal Year 2013-2014  
 Maximum Assessment \$4,869.30

*Estimated Accumulated Costs 2012-2013* \$ 4,921.42

Maintenance: 23,600 sq.ft. of landscaping area  
 Lighting: 5 each @ 5,800 lumens  
 Project Management: 19 lots  
 Fund Balance: \$ (21,889.43)

1. Landscape	23,600	@ \$	0.190	=	\$	4,484.00	/sf
2. Graffiti Maintenance	23,600	@ \$	0.030	=	\$	708.00	/sf
3. Tree Maintenance	23,600	@ \$	0.120	=	\$	2,832.00	/sf
4. Postage	23,600	@ \$	0.005	=	\$	118.00	/sf
5. Utilities	23,600	@ \$	0.060	=	\$	1,416.00	/sf
6. Printing	23,600	@ \$	0.005	=	\$	118.00	/sf
7. Repair/Maintenance	23,600	@ \$	0.040	=	\$	944.00	/sf
		\$	0.450	=	\$	10,620.00	

Maintenance	23,600	x	0.45	=	\$	10,620.00
Administrative Fee	\$ 10,620.00	x	0.10	\$0.10	\$	1,062.00
County Fee	19	x	1.00/per lot	\$1.00	\$	19.00
Reserves 15% of total cost of maintenance					\$	1,593.00
Eliminate deficit fund balance over 10 years - 10% of fund deficit					\$	2,115.31
					\$	15,409.31 /19=\$ 811.02

**Estimated Cost Per Year** \$ 15,409.31 = \$ 811.02  
19

**Current Assessment** \$ 4,869.30 = \$ 256.28  
19

**New Assessment** \$ 4,869.30 = \$ 256.28  
19













District 35 - Meadow Breeze Ph. 2  
2013-2014 Fiscal Year  
Maximum Assessment

*Estimated Accumulated Costs 2012-2013* \$ 754.69

Maintenance: lighting: 9 lumens @ 5,800 each  
Project Management, 44 lots  
Fund Balance: \$ 752.83

	Unit					Formula
1 Utilities	9 lumens	@	\$ 104.16	=	\$	937.44 /sf
2 Postage	44	@	\$ 1.00	=	\$	44.00 /sf
3 Printing/Copying	1	@	\$ 100.00	=	\$	100.00 /sf
					\$	1,081.44

Maintenance	1,137 x 1	\$1,137.00	\$	1,137.44
Administrative Fee	\$ 1,137.44 x	\$0.10	\$	113.74
County Fee	44 lots @	\$1.00	\$	44.00
Reserves 15% of total cost of maintenance			\$	170.62
Eliminate Deficit Fund Balance over 10 years - 10% of fund deficit			\$	-
			\$	1,465.80 /44= \$33.30

<b>Estimated Cost Per Year</b>	<b>\$ 1,465.80</b>	=	<b>\$33.30</b>
	44		
<b>Current Assessment</b>	<b>\$ 844.08</b>	=	<b>\$ 19.18</b>
	44		
<b>New Assessment</b>	<b>\$ 844.08</b>	=	<b>\$ 19.18</b>
	44		

This concludes the 2013-2014 Landscape and Lighting District Engineer's Report.  
Baldomero Rodriguez, RCE 45304

Baldomero Rodriguez  
Public Works Director



RESOLUTION NO.: \_\_\_\_\_-2013

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTERVILLE, COUNTY OF TULARE, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2013-2014 IN LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICTS; DECLARING THE WORK TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREAS WITHIN THE LANDSCAPE MAINTENANCE DISTRICTS AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID DISTRICT AS LANDSCAPE AND LIGHTING MAINTENANCE DISTRICTS; DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

The City Council of the City of Porterville, pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California, does resolve as follows:

DESCRIPTION OF WORK

SECTION 1. That the public interest and convenience requires it is the intention of the City Council of the City of Porterville, California, to order the following work be done, to wit:

1. Maintenance and servicing of facilities and landscaping as authorized by Section 22525 of the Streets and Highways Code.
2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof.

LOCATION OF WORK

SECTION 2. The foregoing described work is to be located within the following areas:

1. Right-of-way and easement along the Westwood Street frontage of Unit I and II of Westwood Estates, more particularly described on maps which are on file in the City Clerk's office entitled "Landscape and Lighting Maintenance District No. 1."
2. Hillcrest Street right-of-way, fire access road, Jasmine Drive entries; south perimeter west of fire access road, west perimeter including the parcel on which the water tank is located, viewpoint look-out parcel at the northwest corner of Jasmine Ranch Subdivision, and the pedestrian access to each cul-de-sac from Hillcrest Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 2 Landscape and Lighting District No. 1."

3. LaVida Park green belt, east on Plum Way Street and the entries east along Beverly Street, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 4 to Landscape and Lighting Maintenance District No. 1."
4. Westwood Estates #4, along the north and south entries adjacent to the block wall on Westwood Street and the median divider on White Chapel Lane including all trees in front yard planting strip, more particularly described on maps which are on file in the City Clerk's office entitled "Annexation No. 5 to Landscape and Lighting Maintenance District No. 1."
5. Wisconsin Manor I Subdivision includes landscape and lighting maintenance, more particularly described on maps, which are on file in the City Clerk's office entitled "Annexation No. 14 to Landscape and Lighting District No. 1."
6. District No. 5 = Castle Woods Phase II Subdivision located on Castle Avenue, Salisbury Street, and Median Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk's office entitled District No. 5.
7. District No. 6 = Creek View Estates located between Porter Creek Avenue and the property line in Porter Slough includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk's office entitled District No. 6.
8. District No. 12 = Westwood Estates Unit 5, Phase 2, located along Henderson Avenue and Brandy Way includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk's office entitled District No. 12
9. District No. 18 = Ohio North Subdivision located on Ohio Way Street includes lighting maintenance and more particularly described on maps which are on file in the City Clerk's office entitled District No. 18.
10. District No. 20 = West View Place Subdivision located on Median Avenue includes lighting maintenance and more particularly described on maps which are on file in the City Clerk's office entitled District No. 20.
11. District No. 24 = Orchard Ridge, Phase Eight Subdivision located on Mathew Street, Michael Street, Pamela Avenue, and Santa Maria Avenue includes landscape and lighting maintenance and more particularly described on maps which are on file in the City Clerk's office entitled District No. 24.
12. District No. 31 = Right-of-way, easements, and public lands within Williams Ranch, Phase 2 and 3 Subdivision, more particularly described on maps which are on file in the City Clerk's office entitled District No. 31.
13. District No. 35 = Right-of-way, easements, and public lands within Meadow Breeze, Phase One Subdivision, more particularly described on maps which are on file in the City Clerk's office entitled District No. 35.

Reference is hereby made to said maps for further, full and more particular description of said assessment district, and the same maps so on file shall govern for all details as to the extent of said assessment district.

### DESCRIPTION OF ASSESSMENT DISTRICT

SECTION 3. That the contemplated work, in the opinion of said City Council, is to be of more than local or ordinary public benefit, and the said City Council hereby makes the expense of the said work chargeable upon a district, which said district is described as follows:

1. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 26-89, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.
2. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 2 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 42-92, indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.
3. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 4 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 100-93, indicating by said boundary line the extent of the territory included within the assessment district and which map is on file in the Office of the City Clerk of said City.
4. All that certain territory of the City of Porterville, included within the exterior boundary line shown upon that certain "Map of Annexation No. 5 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 144-93, indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.
5. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Annexation No. 14 to Landscape and Lighting Maintenance District No. 1," heretofore approved by the City Council of said City by Resolution No. 24-96, indicating by said boundary line the extent of the territory included within the district and which map is on file in the Office of the City Clerk of said City.

6. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Landscape and Lighting District No. 5," heretofore approved by the City Council of said City by Resolution No. 29-2002, indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the Office of the City Clerk of said City.
7. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Landscape and Lighting District No. 6," heretofore approved by the City Council of said City by Resolution No. 89-99, indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the Office of the City Clerk of said City.
8. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Landscape and Lighting District No. 12" heretofore approved by the City Council of said City by Resolution No. 80-95, indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the Office of the City Clerk of said City.
9. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Landscape and Lighting District No. 18" heretofore approved by the City Council of said City by Resolution No. 22-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the Office of the City Clerk of said City.
10. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Landscape and Lighting District No. 20" heretofore approved by the City Council of said City by Resolution No. 30-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the Office of the City Clerk of said City.
11. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Landscape and Lighting District No. 24" heretofore approved by the City Council of said City by Resolution No. 191-2002 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the Office of the City Clerk of said City.
12. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Landscape and Lighting District No. 31" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the Office of the City Clerk of said City.

13. All that certain territory of the City of Porterville, included within the exterior boundary shown upon that certain "Map of Landscape and Lighting District No. 35" heretofore approved by the City Council of said City by Resolution No. 52-2006 indicating by said boundary line the extent of the territory included with the assessment district and which map is on file in the Office of the City Clerk of said City.

#### REPORT OF ENGINEER

SECTION 4. The City Council of said City has ordered preparation of the annual report of the Engineer of Work, which report indicates the amount of the proposed assessment, the district boundary, detailed description of improvements, and the method of assessment. The report titled "Engineer's Report, Landscape and Lighting Maintenance Districts 2013-2014 Fiscal Year" will be filed in the Office of the City Clerk of said City, and prepared for the 2013-2014 Fiscal Year in accordance with the Landscaping and Lighting Act of 1972. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work.

#### COLLECTION OF ASSESSMENTS

SECTION 5. The assessment shall be collected at the time and in the same manner as County taxes are collected.

#### TIME AND PLACE OF HEARING

SECTION 5. Notice is hereby given that on the 6th day of August 2013, at the hour of 6:30 p.m. or as soon thereafter as the matter may be heard in the City Council Chambers at 291 North Main Street, in the City of Porterville, any and all persons having any objections to the work or extent of the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

#### LANDSCAPING AND LIGHTING ACT OF 1972

SECTION 6. All the work herein proposed shall be done and carried through in pursuance of an act of the legislature of the State of California designated The Landscaping and Lighting Act of 1972, being Division 15 of the Streets and Highways Code of the State of California.

#### PUBLICATION OF RESOLUTION OF INTENTION

SECTION 7. Published notice shall be made pursuant to Section 6061 of the Government Code. The publication of the Notice of Hearing shall be completed at least 10 days prior to the date of hearing.

#### CERTIFICATION



SECTION 8. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED 16<sup>th</sup> day of July 2013.

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Virginia R. Gurrola, Mayor

ATTEST:  
John D. Lollis, City Clerk

By: \_\_\_\_\_  
Patrice Hildreth, Chief Deputy City Clerk