

CITY OF YUBA CITY  
STAFF REPORT

**Date:** October 7, 2008  
**To:** Honorable Mayor & Members of the City Council  
**From:** Public Works  
**Presentation by:** George Musallam, Public Works Director

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**Summary**

**Subject:** Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B\_2

**Recommendation:** Adopt the following resolutions to create the Lighting and Landscape Maintenance District:

- a. Resolution to modify Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B\_2 (improvements associated with 1410 Whyler Road)
- b. Resolution of Intention, Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B\_2 (pursuant to the Landscaping and Lighting Act of 1972).

**Fiscal Impact:** Revenue from the assessed parcels is to be used to provide maintenance services and district administration costs; \$362.44 for the one parcel.

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**Background:**

To provide funding for the operation and maintenance of the street lighting system for the proposed development at 1410 Whyler Road (Cinemark Movies 12), the developer has agreed to establish a Lighting and Landscape Maintenance District (LLMD). The new zone will provide the funds for operating and maintaining two (2) street lights along the west side of West Onstott Frontage Road, south of Whyler Road.

**Analysis:**

The City has created and modified several Lighting and Landscape Maintenance Districts that cover many commercial projects and subdivisions, over the past few years. When projects are conditioned to participate in a LLMD, there is a procedure that has to be followed in order to annex the project into an existing district. The process starts with the adoption of a Resolution to Modify an existing district and a Resolution of Intention to create a Zone of Benefit for the project within the district and set the public hearing. Upon Council adoption of the Resolution to Modify and Resolution of Intention, staff sends out a Notice of Public Hearing and a ballot to all affected property owners at least 45 days prior to the date of the public hearing. The assessment ballots are to be received by the City Clerk prior to the public hearing. The Council conducts a public hearing, and the City Clerk

and the City Clerk then tabulates the votes. If the majority of the property owners have voted in favor of the LLMD, Council adopts a Resolution Confirming Diagram and Assessment and Levying Assessment for the fiscal year. During this process, the Public Works Department is required to prepare an Engineer's Report providing specific information related to the LLMD and to file it with the City Clerk. This information is provided to the Sutter County Tax Collector so that the properties can be assessed accordingly.

The attached resolutions set a public hearing for December 2, 2008, to receive input from the affected property owners and set the proposed assessments in accordance with the Engineer's Report which will be filed with the City Clerk later this month.

**Fiscal Impact:**

Revenue from the assessed parcel is to be used to provide maintenance services and district administration costs. The Engineer's Report for the Yuba City Lighting and Landscape Maintenance District No. 6 Zone of Benefit B\_2 has determined that the annual assessed amount for the (LLMD) for the existing parcel is \$362.44, with an annual inflation increase.


**Alternatives:**

Do not adopt the following resolutions and fund the operation and maintenance of the streetlight from alternate sources.

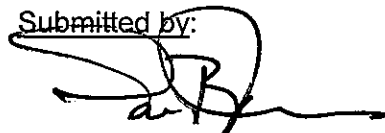
**Recommendation:** Adopt the following resolutions to create the Lighting and Landscape Maintenance District:

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Prepared by:

  
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Benjamin K. Moody  
Associate Civil Engineer

Submitted by:


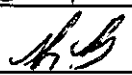
  
\_\_\_\_\_  
Steven R. Jepsen  
City Manager

Reviewed by:

Department Head

Finance

City Attorney

  
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**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF YUBA CITY  
INITIATING PROCEEDINGS TO MODIFY THE YUBA CITY LIGHTING AND  
LANDSCAPE MAINTENANCE DISTRICT NO. 6, ZONE OF BENEFIT B\_2**

**(Pursuant to the Landscaping and Lighting Act of 1972)**

THE CITY COUNCIL OF THE CITY OF YUBA CITY RESOLVES:

1. The City Council proposes to modify a lighting and landscape maintenance district pursuant to the Landscaping and Lighting Act of 1972 (Section 22500 and following Streets and Highways Code) for the purpose of operating and maintaining lighting facilities associated with 1410 Whyler Road.

2. The proposed assessment district Zone of Benefit shall be designated as Zone of Benefit B\_2 of the Yuba City Lighting and Landscape Maintenance District No. 6, City of Yuba City, Sutter County, California, and shall include the lands shown on the attached map designated "Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B\_2," which is on file with the City Clerk and is hereby approved.

3. The City Engineer, or designee, of the City of Yuba City is hereby designated engineer for the purpose of these formation proceedings. The City Council hereby directs the engineer to prepare and file with the City Clerk a report in accordance with Article 5 of Chapter 1 of the Landscaping and Lighting Act of 1972.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7<sup>th</sup> day of October 2008.

AYES:

NOES:

ABSENT:

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MAYOR

ATTEST:

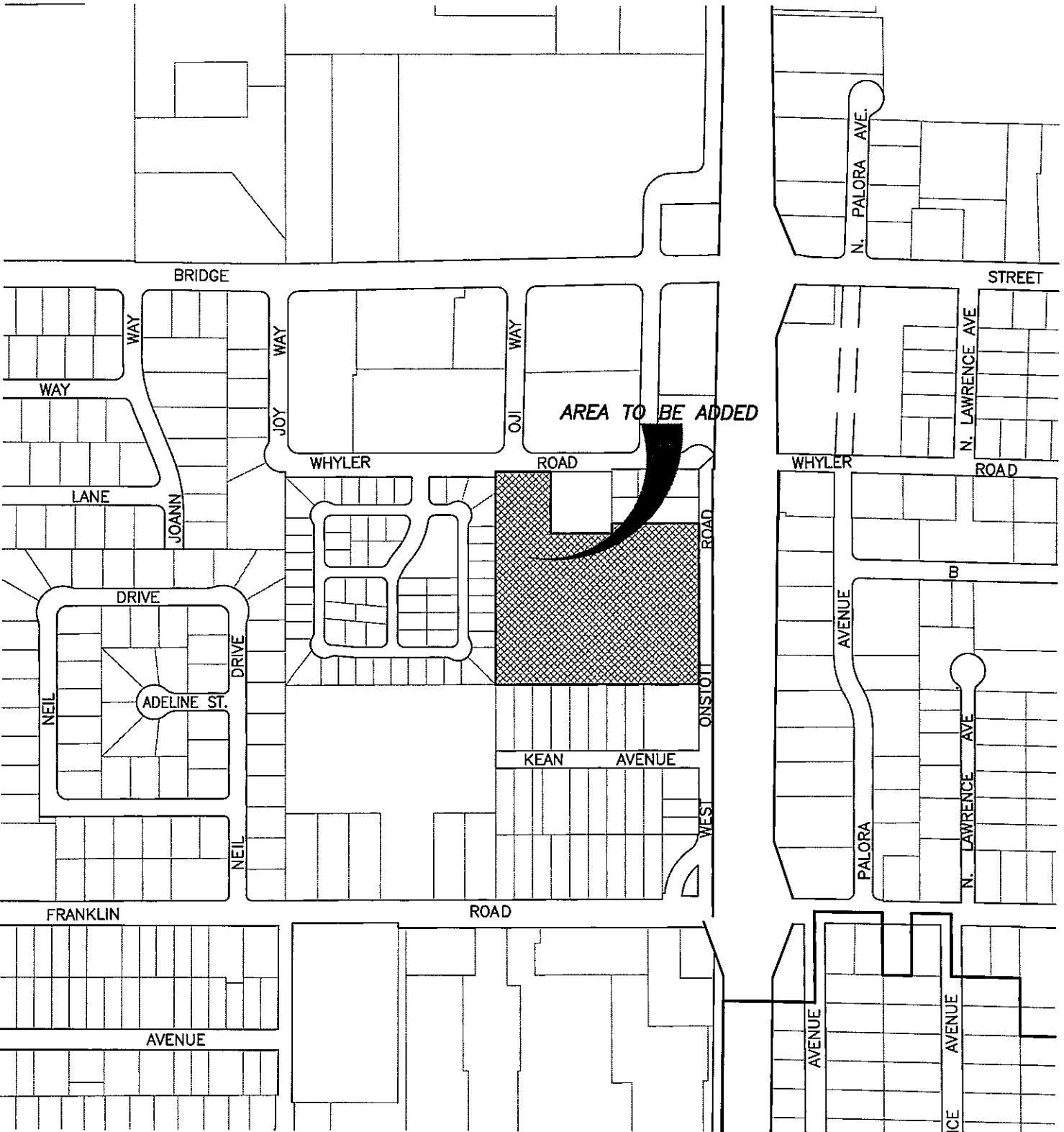
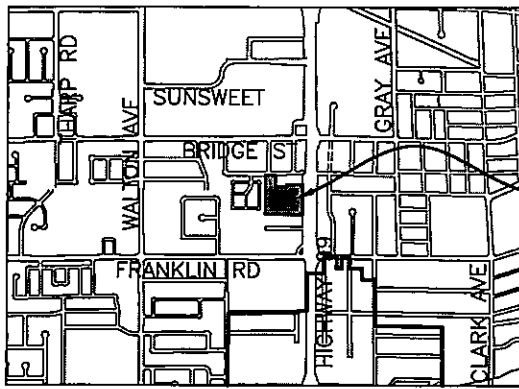
\_\_\_\_\_  
CITY CLERK



SCALE: 1" = 400'

SUBJECT AREA

CINEMARK MOVIES 12  
LIGHTING AND LANDSCAPE MAINTENANCE  
DISTRICT No. 6  
ZONE OF BENEFIT B\_2



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

**RESOLUTION OF INTENTION  
YUBA CITY LIGHTING AND LANDSCAPE MAINTENANCE  
DISTRICT NO. 6, ZONE OF BENEFIT B\_2**

**(Pursuant to the Landscaping and Lighting Act of 1972)**

THE CITY COUNCIL OF THE CITY OF YUBA CITY RESOLVES:

1. The City Council intends to form the assessment district and to levy and collect assessments in accordance with the Landscaping and Lighting Act of 1972.
2. The improvements to be made in this assessment district are generally described as follows:  
  
Street lighting and maintenance for 1410 Whyler Road.
3. This assessment district shall be known as the Yuba City Lighting and Landscape Maintenance District No. 6, Zone of Benefit B\_2, City of Yuba City, Sutter County, California.
4. In accordance with the City Council's resolution initiating proceedings, the City Engineer, or designee, will file with the City Clerk later this month the report required by the Landscaping and Lighting Act of 1972. All interested persons are referred to that report for a full and detailed description of the improvements, the boundaries of the assessment district, and the proposed assessments upon assessable lots and parcels of land within the assessment district to include an annual increase in assessments equal to the annual increase in the "All Urban Consumers" Consumer Price Index, US City Average, as compiled by the United States Department of Labor Bureau of Labor Statistics.
5. On December 2, 2008, at the hour of 7:00 P.M., the City Council will conduct a public hearing on the formation of this assessment district and the levy of the proposed assessment. The hearing will be held in the City Hall Council Chambers, 1201 Civic Center Boulevard, Yuba City, California.
6. City Clerk is authorized and directed to give the notice of hearing required by the Landscaping and Lighting Act of 1972.

The foregoing resolution was duly and regularly introduced, passed, and adopted by the City Council of the City of Yuba City at a regular meeting thereof held on the 7<sup>th</sup> day of October 2008.

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK