# City of Garden Grove

#### INTER-DEPARTMENT MEMORANDUM

To:

Matthew Fertal

From:

Keith G. Jones

Dept:

City Manager

Dept:

**Public Works** 

Subject:

PUBLIC HEARING

Date:

July 28, 2009

CITY OF GARDEN GROVE -

STREET LIGHTING DISTRICTS AND PARK MAINTENANCE DISTRICT (FY 2009-10) INCLUDING THE ADDITION OF LOCAL STREET LIGHTING ON OMA PLACE

### **OBJECTIVE**

To hold a public hearing prior to adoption of the FY 2009-10 assessments under the Landscape and Lighting Act of 1972 and determine whether to levy assessments for 1) the City of Garden Grove Street Lighting District, 2) the City of Garden Grove Street Lighting District No. 99-1, and 3) the City of Garden Grove Park Maintenance District.

# **BACKGROUND/DISCUSSION**

On June 9, 2009, the City Council adopted Resolution Nos. 8907-09, 8908-09, 8909-09, declaring its intention to levy and collect annual assessments for the 2009-10 fiscal year to pay for the street lighting and park maintenance. The Engineer, as required by state law, has prepared and filed a report for each district. The purpose of the public hearing is to hear testimony on the question of the annual assessments for parcels located within the Street Lighting District, Street Lighting District No. 99-1, and Park Maintenance District.

Properties throughout the City of Garden Grove have been paying assessments to fund street lighting and community park maintenance. The proposed assessments are based on rates and methodology as previously adopted in FY 1997-98 by the Council for the City of Garden Grove Street Lighting District and the City of Garden Grove Park Maintenance District.

The boundaries of the City of Garden Grove Street Lighting District No. 99-1 include two zones, the first involving an area easterly of Dale Street between Lampson Avenue and Chapman Avenue, including an area west of Fairview Street approximately 900 feet south of Trask Avenue, and the second involving an area on Gail Lane, north of Chapman Avenue. Property owners approved this district on June 22, 1999 through a special ballot proceeding.

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Property owners on Oma Place have requested additional local lights be installed along the street. As these properties are currently paying only the arterial lighting assessments, an assessment balloting process was required to allow the City to charge them for the additional local lighting assessment amount (\$17.74) per year.

Assessment ballots were mailed out June 12, 2009 to all affected property owners, and all ballots are due back to the City Clerk prior to the close of the public hearing.

If more than 50% of the returned ballots are against the additional assessment, then the additional assessment cannot be levied and the additional lighting along Oma Place will not be installed.

If 50% or more of the returned ballots are in favor of the additional assessment, then the City Council may authorize the levying of the local lighting assessment on these properties and authorize the installation of the street lights (at no cost to the city).

#### FINANCIAL IMPACT

The adoption of street lighting and park maintenance assessments will raise approximately \$1,300,000 in street lighting revenue and \$700,000 in park maintenance revenue.

## COMMUNITY VISION IMPLEMENTATION

This action is consistent with the community vision by providing a high-quality-of-life-community with public facilities and open spaces that are well maintained and adequate.

#### RECOMMENDATION

It is recommended that the City Council:

- Open the public hearing and take public comment.
- Accept any Oma Place ballots that have not been turned in and close the public hearing.
- Recess the item until the Oma Place ballots can be tabulated.
- If the tabulation results are positive, direct staff on whether to add local lighting to Oma Place.

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# RECOMMENDATION (cont.)

It is also recommended that the City Council adopt the attached proposed resolutions:

- Confirming the proceedings and assessments for 1) Street Lighting District, 2) Street Lighting District No. 99-1, and 3) Park Maintenance District for FY2009/10 against the individual parcels;
- Ordering the proposed maintenance to be completed in accordance with the Engineer's Reports; and
- Directing the City Clerk to file and record the assessments with the County Auditor.

Approved for Agenda Listing

City Manager

KETTH 6. JONES

Public Works Director

Associate Engineer

Attachments - Resolutions

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