

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda date: June 16, 2008
Reviewed by: BP

SUBJECT: Public Hearing on the Landscaping & Lighting Assessment District Diagram and Assessment and Levying Assessment for Assessment District No. 1988-1 and Assessment District No. 1996-1 for Fiscal Year 2008-09

FROM: Ann Chaney, Community Development Director
Randy Leptien, City Engineer

RECOMMENDATION

1. Conduct the Public Hearing.
2. Approve Resolution #08-37 - A Resolution of the Albany City Council Confirming the Landscaping and Lighting Assessment District Diagram and Assessment and Levying Assessment for LLDA No. 1988-1 for Fiscal Year 2008-09.
3. Approve Resolution #08-38- A Resolution of the Albany City Council Confirming the Landscaping and Lighting Assessment District Diagram and Assessment and Levying Assessment for LLDA No. 1996-1 for Fiscal Year 2008-09.

BACKGROUND

On June 2, 2008, the City Council set a Public Hearing for June 16, 2008 on the proposed assessments for Landscaping and Lighting District No. 1988-1 and 1996-1. This year's LLAD budget shows a two-year period to coincide with the City's two-year operating budget cycle. This is done for planning purposes. However, pursuant to state law, for actual assessment purposes, the attached resolutions apply only to the upcoming fiscal year. Prior to 2009-10, it may be appropriate for the Park and Recreation Commission and City Council to review that year's estimated budget and make adjustments, if needed.

When discretionary funds from the LLAD are available, the Park and Recreation Commission is asked to recommend specific projects to which these funds may be applied. The Commission met on April 10, 2008 to discuss the proposed LLAD 1988-1 and 1996-1 budgets, and approved the budgets at their May 8, 2008 meeting.

Attached is the City Council packet for June 2, 2008, which included all the pertinent budgets and descriptions.

LLDA 1988-1

In 1988, the City Council established Assessment District No. 1988-1 to provide for landscaping and lighting improvements and maintenance throughout the City. In order to levy assessments, state law requires that the Council direct the filing of an annual report, notice a public hearing, and provide property owners an opportunity to review the proposed program, its associated costs

and the proposed amount of assessment. The assessments are not proposed to increase from the fiscal year 2007-08 assessment level and, in fact have not increased in seventeen years.

Although the majority of the funds will go toward maintaining Albany's existing lighting and landscaping infrastructure, some of these funds will be used toward improving Albany's street medians, and upgrading park and recreation facilities, as recommended by the Parks, Recreation and Open Space Master Plan. Funds for the Community Center tower repairs have been included in this the 2008-09 budget. Also, at the request of the Park and Recreation Commission, the resurfacing of the tennis courts at Terrace Park have been moved up from 2009-10 to this year's budget.

LLDA 1996-1

In November 1996, the voters of Albany approved the levy of assessments for the Open Space, Recreational Playfields, and Creek Restoration Assessment District (Assessment District No. 1996-1 also known as Measure R). In order to annually levy assessments, state law requires that the Council direct the filing of an annual report, notice a public hearing, and provide property owners an opportunity to review the proposed program, its associated costs and the proposed amount of assessment. The assessments are not proposed to increase from the 2007-08 assessment level and, in fact have not increased since the district's inception in 1996.

Under the terms of Measure R, Assessment District revenues must be allocated as follows:

- One half (50%) to the acquisition and improvement of open space on Albany Hill.
- One fourth (25%) for the acquisition, development and maintenance of recreational playfields.
- One fourth (25%) for creek restoration improvements.

Last year \$10,000 was allocated for vegetation management on Albany Hill. This same amount is being proposed for Albany Hill for year 2008-09 (from the Open Space Fund).

PROCESS

The Engineer of Work, Leptien, Cronin, Cooper, Morris & Poore, Inc., filed his report for both these Assessment Districts on June 2, 2008, as directed by the Council. At the June 2 meeting, the Council approved Resolution #08-30 (LLAD 1988-1) and #08-31 (LLAD 1996-1) declaring the intention of the Council to levy and collect assessments for fiscal year 2008-09. That resolution also set June 16, 2008 as the date for the public hearing. The City Clerk published the notice as required by law.

FINANCIAL IMPACT

Sufficient funds are available in the 2008-09 Landscaping & Lighting Assessment District No. 1988-1 to complete the proposed projects or provide a city match for future grants.

Sufficient funds are available in the 2008-09 Landscaping & Lighting Assessment District No. 1996-1 budget for progress to continue in the three areas outlined under the terms of the District.

Attachments

- Resolutions #08-37 and #08-38
- June 2, 2008 City Council Staff Report regarding LLAD No. 1988-1 and 1996-1