

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

Agenda date: July 5, 2005  
Date Prepared: June 27, 2005  
Reviewed by\_\_\_\_\_

**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 2005-06

**FROM:** Ann Chaney, Community Development Director

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**RECOMMENDATION**

1. Conduct the Public Hearing.
2. Approve Resolution #05-38 - 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 2005-06.
3. Approve Resolution #05-39 - 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 2005-06.

**BACKGROUND**

**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 2004-05 assessment level and, in fact have not increased in fifteen 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 the Buchanan Street medians and upgrading the lighting along the Ohlone Greenway, as recommended in the Parks, Recreation and Open Space Master Plan. In the past, a specific allocation of discretionary funds was available for lighting and landscaping projects. The final project using discretionary will be \$20,000 for the Ocean View tennis court resurfacing which is identified the Capital Improvement Program. In the future, if there are discretionary funds available, the Commission could make a recommendation to the City Council for an appropriate project(s).

See excerpts from the Engineer's Report showing projects funded by L&L Assessment District No. 1988-1.

## 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 2004-05 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.

See excerpts from the report showing projects funded by L&L Assessment District No. 1996-1.

## **PROCESS**

The Engineer of Work, Leptien, Cronin, Cooper, Morris & Poore, Inc., filed its report for both these Assessment Districts on June 15, 2005, as directed by the Council. At the June 20 meeting, the Council approved the Engineer's Report and approved Resolution #05-35 (LLDA 1988-1) and #05-36 (LLAD 1996-1) declaring the intention of the Council to levy and collect assessments for fiscal year 2005-06. That resolution also set July 5, 2005 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 2005-06 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 2003/04 Landscaping & Lighting Assessment District No. 1996-1 budget for progress to continue in the three areas outlined under the terms of the District.

## Attachment

- Resolutions #05-38 and #05-39
- Excerpts from Engineer's Report for LLAD No. 1988-1 and 1996-1