

## **PROCEDURE FOR ANNEXATION INTO CITY OF REEDLEY LANDSCAPING AND LIGHTING MAINTENANCE DISTRICT No. 1**

Information regarding the formation and annexation of a new zone to Landscaping and Lighting Maintenance District No. 1, a City of Reedley assessment district under the Landscaping and Lighting act of 1972 (1972 Act) and State of California Proposition 218 is detailed below.

The 1972 Act permits the formation of L&LMD No. 1, and annexation to said district, to finance the installation, maintenance and servicing of landscaping, trails, buffer block-wall fencing, irrigation, streetlights, bridge lights, graffiti abatement, bio-swales, and drainage filters through annual assessments on real property within the district. The annual assessment for each zone in the L&LMD No. 1 is based on the estimated specific benefit to each parcel, or acre and not on property valuation.

As of 1996, State of California Proposition 218 requires that all parcel assessments, such as the City's L&LMD No. 1 assessments, be presented to the property owner(s) for their authorization in order to levy the parcel assessment. A "Special Election" is conducted to ascertain if 51% of the affected property owners are in favor of an annual assessment for L&LMD No. 1 being added to their property taxes. Elections are conducted in the same year the application for a final map of the project is submitted for approval to the City Council and/or prior to issuance of a building permit.

The approved City's L&LMD No. 1 annual assessment is subject to an annual inflation escalator based on the United States Department of Labor Consumer Price Index, Western Urban, Size B/C, as it stands since the previous fiscal year.

For tentative maps that are conditioned to annex into a landscaping maintenance district, the following procedure is to be followed:

- Developer (property owner) will obtain a Request for Annexation into the City's L&LMD No.1 petition form from City staff in the Engineering Department by calling (559) 637-4200, extension 281.
- Developer will submit a set of street construction improvement plans and landscape plans for all proposed public improvements along City maintained roads with Plan Check in the Engineering Department, as applicable to the service to be provided through the L&LMD annexation for those areas: landscape, drainage, streetlight, and street improvement.
- Developer will return the following:
  - A completed petition form
  - A copy of the prospective buyer's disclosure statement as it relates to the L&LMD No. 1 assessment
  - A PG&E approved streetlight and utility composite plan
  - A set of improvement plans as listed below as applicable to the service to be provided through the L&LMD annexation:

Type of Service	Type of Improvement Plans	Approval Needed
Landscape	Landscape	Must go through at least one L&LMD plan check
Drainage Filters	Storm Drain and/or Street Improvements	Must go through at least one plan check
Bio-Swales	Storm Drain and/or Landscape Improvements	Must go through at least one L&LMD plan check
Streetlight	Streetlight	Signed by Plan Check

To:	City of Reedley Engineering Department 1733 Ninth Street Reedley, CA 93654
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- **Staff** will establish number of property owners who will receive benefit from L&LMD No. 1.
- **Staff** will calculate the estimated cost for annual maintenance of the service to be provided through annexation.
- **Staff** will prepare a Resolutions ordering an Assessment Engineer’s Report declaring the intention to order the annexation of the new Zone into the L&LMD No. 1, giving notice of and setting the time and place of the public hearing on said proposed annexation, and ordering a mailed ballot(s).
- **Staff** will prepare the Assessment Engineer’s Report.
- **Staff** will conduct the “Property Owner Ballot(s)” by mail.
- **Staff** will prepare a Resolution recommending the City Council open the public hearing ordering the annexation of the new Zone to L&LMD No.1, confirming the diagram of assessment for the new Zone and levying assessments on all assessable lots and parcels of land therein for the upcoming fiscal year.
- **Staff** will appear before the City Council seeking adoption of the above-mentioned resolutions.
- **Staff** will verify and tabulate returned ballots after the end of public hearing (A 51% favorable response from the returned ballots is required for City Council to approve the above-mentioned resolution).

- If annexation of the new Zone into the L&LMD No. 1 is approved by City Council, the City will direct the County Assessor's Office to enter the lot or parcel assessments on the upcoming County Assessment Roll. The new annual assessment will appear on the property owner's tax bill due for the fiscal year the City Council levies the assessment.
- **Developer** will construct improvements to City specifications and standard plans.
- **Staff** will prepare a "Notice of Completion" after all improvements have been acted by the City on the project. The **Developer** will enter into a 1 year landscape maintenance agreement and post a warranty/maintenance bond with the City. The new Zone will be accepted into L&LMD No. 1 for maintenance upon completion of the improvements by the **Developer** and passing final inspection by the City.
- **Developer** must maintain improvements until L&LMD No. 1 has funds available to assume the maintenance responsibility and the improvements are constructed and approved by City staff.