



## STAFF REPORT

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**MEETING DATE:** July 9, 2025

**PRESENTER:** Jesus A. Gonzalez, City Engineer

**SUBJECT:** Resolution Initiating Proceedings to Review Improvements and Establish Assessments, Pursuant to the Landscaping and Lighting Act of 1972, for the Annexation of Tract 6430 into Landscape and Lighting District No. 1, to Review the Improvements and Establish Assessments for Fiscal Year 2025-26 and to Set a Public Hearing (JG)

**RECOMMENDATION:**

Council by motion adopt the resolution to initiate proceedings pursuant to the Landscaping and Lighting Act of 1972 for the Annexation of Tract 6430 into Landscape and Lighting District No. 1, to review the improvements and establish assessments for Fiscal Year 2025-2026 (FY25-26), and to set a public hearing for a future date.

**EXECUTIVE SUMMARY:**

The Landscape and Lighting District (LLD) No. 1 maintains public landscaping in median islands and landscape strips along major streets. The revenue from the LLD also pays for street lighting costs for areas within it. All new developments are annexed into the LLD and charged an annual assessment that is collected with property taxes.

J.H. Boyd Enterprises, Inc. ("Applicant") is seeking to develop its Whispering Falls Project, a 119-lot subdivision inclusive of Outlots A-D, located at the southeast corner of the California and Modoc Avenues alignment intersection. The Applicant is undergoing the Tract 6430 final map review process, for approval by the City Council, which will be considered as a separate Agenda item at a future meeting. A condition of approval for Tract 6430 requires that Applicant request annexation to the City's LLD. Consistent with that requirement, the Applicant has submitted a petition and waiver to the City, requesting annexation into Area 16 of LLD No. 1 and agreeing to the initial assessment to be established for FY25-26. Thereafter, the property would be subject to the annual levy amounts approved by Council for LLD No. 1 for each fiscal year.

The Applicant has also (i) waived certain resolutions, report, notices of hearing, and right of majority protest, and consented to a public hearing and adoption of a Resolution by the City Council ordering annexation and levy of the property; and (ii) expressly waived any requirement to have a ballot and majority protest proceeding per Government Code Section 53753 or as may be permitted by the Act. As a result of this waiver, the annexation process can be expedited as no report by the City Engineer is required to be prepared and filed with the City Clerk, nor is a ballot and majority protest required.

This is the first of two actions by Council. Approving the resolution does not annex the property or implement the assessment; it only starts the process and allows for further discussion. The Council will make a final decision on this matter at the public hearing set by the Council.

**FISCAL IMPACT:**

Each lot that is annexed will pay the assessment rate to be established. Thereafter, the City Council will approve assessment amounts for Area 16 of the LLD No. 1, which may be adjusted to reflect increases based on the consumer price index.

**ATTACHMENTS:**

- A. Resolution w/Exhibit
- B. Petition and Waiver