



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

March 18, 2008

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**DEPARTMENT OF PUBLIC WORKS: STREET LIGHTING DISTRICTS
LANDSCAPING AND LIGHTING ACT
ANNUAL ASSESSMENT PROCEDURE
FISCAL YEAR 2008-09
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

- Designate the Acting Director of Public Works as the Engineer, under Section 22523 of Article 2 (commencing with Section 22520), Chapter 1, Part 2, Division 15, of the Streets and Highways Code of the State of California.
- Adopt the Resolution Ordering Engineer's Report for Fiscal Year 2008-09 (Streets and Highways Code Section 22622) ordering the Acting Director of Public Works to prepare and file an Engineer's Report in accordance with Section 22566 of the Streets and Highways Code and Section 4(b) of Article 13D of the California Constitution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is to order the Department of Public Works (Public Works) to prepare the required annual Engineer's Report in order to renew the annual street lighting assessments for all zones within the County Lighting District Landscape and Lighting Act-1 (Lighting District). This action only initiates the report and does not in itself establish any assessment rates.

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility (Goal 4), as the renewal of the street lighting assessments provides the funding necessary for the operation and maintenance of street lighting facilities within the Lighting District. It also satisfies the Goal of Service Excellence (Goal 6), since maintaining street lighting services provides for the convenience and safety of the motoring public, as well as for the safety and security of people and property, which improves the quality of life in the County.

FISCAL IMPACT/FINANCING

Sufficient funds are included in the current Lighting Districts' budget for the preparation of the annual Engineer's Report.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On July 24, 1979, your Board approved the formation of the Lighting District to provide supplemental funds for the operation of street lights in existing County Lighting Maintenance Districts, pursuant to provisions of the Landscaping and Lighting Act of 1972 (Act), Part 2, Division 15, of the Streets and Highways Code of the State of California. Each subsequent year, your Board has renewed annual street lighting assessments for all zones within the Lighting District for supplemental funds. Similar action is now needed to enable us to keep all of the Lighting Districts' street lights in operation during Fiscal Year 2008-09.

The Act and the California Constitution (Article 13D) set forth procedures that must be followed for any fiscal year during which an assessment is to be levied. The Act requires that the legislative body adopt a resolution generally describing any proposed improvements or substantial changes in existing improvements. The Board must also order an Engineer, designated pursuant to Section 22523 of the Streets and Highways Code, to prepare and file a report in accordance with Section 22566 of the Streets and Highways Code and Section 4(b) of Proposition 218.

Under the Streets and Highway Code Section 22622, your Board must adopt a resolution generally describing any proposed improvements or substantial changes in existing improvements within the Lighting District, and order the Acting Director of Public Works, as the Engineer, to prepare and file a report in accordance with Section 22565 et seq. of the Streets and Highways Code. The existing assessments

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and needed increases in assessment rates shall be supported by the report. If any future increases in assessment rates are needed, Public Works will comply with all legal requirements under Article 13D of the California Constitution (Proposition 218).

In a few weeks, we will submit for your approval the required Engineer's Report and resolutions to establish the assessments for Fiscal Year 2008-09.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

At such time as these recommendations may be adopted, please return one adopted copy of this letter and signed resolution to Public Works. Also, please forward one adopted copy of the letter and resolution to the County Assessor, Ownership Services Section (Angela Gadsden); and to the Auditor-Controller, Tax Section (Kelvin Aikens).

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:DLW
WJW:jh

Attachments (1)

c: County Counsel (Adrienne Byers)

**COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS
RESOLUTION ORDERING ENGINEER'S REPORT
FOR FISCAL YEAR 2008-09
(STREETS AND HIGHWAYS CODE SECTION 22622)**

WHEREAS, on July 24, 1979, the Board of Supervisors of the County of Los Angeles approved the formation of County Lighting District LLA-1 (Lighting District) to provide supplemental funds for the operation of street lights in County Lighting Maintenance Districts pursuant to provisions of the Landscaping and Lighting Act of 1972 (Act), Part 2, Division 15, of the Streets and Highways Code of the State of California; and

WHEREAS, under the Streets and Highways Code Section 22622 of the Act, your Board must adopt a resolution generally describing any proposed improvements or substantial changes in existing improvements within the Lighting District, and order the Director of Public Works, as the Engineer, to prepare and file a report in accordance with Section 22566 of the Streets and Highways Code.

WHEREAS, Section 4(b) of Article 13D of the California Constitution requires assessments to be supported by a detailed Engineer's Report prepared by a registered professional engineer certified by the State of California.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of the County of Los Angeles, State of California, that:

SECTION 1. The Lighting District will include the following improvements:

- a. Additional street lights installed within the existing County lighting maintenance districts and assessment zones, in compliance with procedures set forth in the Streets and Highways Code.
- b. New street lighting systems installed in response to property owner petitions filed and processed in compliance with procedures set forth in the Streets and Highways Code.
- c. New street lighting systems installed in new land developments pursuant to the requirements of Titles 21 and 22, Los Angeles County Code (the Subdivision and Zoning Ordinances), and processed in compliance with procedures set forth in the Streets and Highways Code.

- d. Repair or replacement of obsolete street lighting equipment within County lighting maintenance districts and assessment zones.

SECTION 2. The Director of Public Works, as the Engineer, is hereby ordered to prepare and file a report in accordance with Section 22566 of Article 4, Chapter 1, Part 2, Division 15, of the Streets and Highways Code of the State of California, and Section 4(b) of Article 13D of the California Constitution.

The foregoing resolution was on the _____ day of _____, 2008, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

BY Carol B. Suzuki
Deputy