COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Parks Make Life Better!"
Russ Guiney, Director John Wicker, Chief Deputy Director

Executive Offices • 433 South Vermont Avenue • Los Angeles, CA 90020-1975 • (213) 738-2961

June 25, 2013

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

Dear Supervisors:

DETACHMENT OF ZONE NUMBER 74
TESORO DEL VALLE WITHIN
LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT
DISTRICT NUMBER 4
(SUPERVISORIAL DISTRICT 5) (3 VOTES)

SUBJECT

Adoption of the Resolution ordering the detachment of Zone Number 74, Tesoro Del Valle, from the Los Angeles County Landscaping and Lighting Act District No. 4.

IT IS RECOMMENDED THAT AT THE CONCLUSION OF THE PUBLIC HEARING, THE BOARD:

1. Find the proposed order of detachment of Zone Number 74, Tesoro Del Valle, from the Los Angeles County Landscaping and Lighting Act District No. 4 is not subject to the California Environmental Quality Act because the action does not meet the definition of a project and for the reasons stated herein.

2. Adopt the Resolution ordering the detachment of Zone Number 74, Tesoro Del Valle, from the Los Angeles County Landscaping and Lighting Act District No. 4 pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California, Section 22500 et seq., and as provided by Article XIIID of the California Constitution, effective April 30, 2014.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is for your Board to adopt the Resolution ordering the detachment of Zone Number 74, Tesoro Del Valle, (Zone No. 74) from the Los Angeles County Landscaping and Lighting Act District (LLAD) Number 4 (No. 4). This action is pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of the State of California (the Act). The Act requires that the proceedings for detachment of territory shall be initiated by a Resolution of Intent. Pursuant to Section 22608 of the Act, in detachment proceedings, the Resolution, Notices of Hearing, and Right of Majority Protest shall be limited to the territory proposed to be detached.

Detachment of Zone Number 74, Tesoro Del Valle

The Tesoro Del Valle Master Homeowners Association (Tesoro HOA), together with its community, has requested the detachment of Zone No. 74 from Los Angeles County LLAD No. 4. The Tesoro HOA has elected to provide for the maintenance and servicing of the detached open space areas, open space lots, and common areas within Zone No. 74. The Tesoro HOA took a vote of its community and determined that the majority supported the detachment of Zone No. 74. Therefore, the Department of Parks and Recreation (Department) further recommends that Zone No. 74 be detached from Los Angeles County LLAD No. 4, effective April 30, 2014.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) by providing the continuation of services by the Tesoro HOA to maintain the landscaped areas and the appurtenant improvements will benefit those who live within these Zones. Furthermore, Fiscal Sustainability (Goal 2) of landscape services will be maintained by the establishment of association fees to provide the funding necessary for the operation and maintenance of the landscaping and appurtenant improvements within the community.

FISCAL IMPACT/FINANCING

The detachment of territory within Zone No. 74 will not adversely impact Los Angeles County LLAD No. 4. The Act allows for proceedings for detachment of territory to be initiated by a Resolution of Intention. Your Board adopted said Resolution of Intention on June 11, 2013. Pursuant to Section 22609 of the Act, in detachment proceedings, resolution, report, notice of hearing, and right of majority protest shall be limited to the territory proposed to be detached.

In addition, the Tesoro HOA and the District entered into a Management Agreement approved by your Board on June 11, 2013, so that the Tesoro HOA may provide capital improvements to the open space areas and common areas with prior approval from the Department, in order to expend the fund balance in Zone No. 74, which has an approximate balance of $1.8 million. Consequently, the assessments for the parcels in the subject Zone will be reduced by 75 percent, causing the use of the reserved credits in the fund balance to offset the cost of the required ongoing operational costs.

Operating Budget Impact

The recommended actions will have no impact on the Department's Operating Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

As authorized by the State Legislation, pursuant to the Streets and Highways Code, Section 22500 et seq., a public agency may form an assessment district for the purposes of installing, planting, maintaining, or servicing landscape facilities including, but not limited to, ornamental structures and facilities appurtenant to or which is necessary or convenience for the maintenance of/or servicing landscape areas. Pursuant to this authority, on July 3, 2001, your Board formed LLAD No. 4, Zone No. 74, and ordered the levying of an assessment for the purpose of maintaining and improving landscaping and other improvements within Zone No. 74.

Your Board further authorized the Director of Parks and Recreation (Director) to accept on behalf of formed Zone No. 74, the Grants of Easement to designated landscaped areas and open space pursuant to the Engineer's Report, as amended, which was prepared for the District outlining the areas of responsibility which consisted of approximately 105 acres of Open Space common areas.

Since Fiscal Year 2001-2002, the LLAD has levied and collected, from property owners within Zone No. 74, a benefit assessment for the purpose of providing maintenance of the zone. On February 19, 2013, the homeowners of Zone No. 74, by majority vote, requested the detachment of the Tesoro Del Valle Community, including the Open Space therein, from District No. 4 and the transfer of management and oversight of Capital Improvements and Landscape Service and Maintenance for Zone No. 74, from District to Tesoro HOA.

On your June 11, 2013, your Board adopted the Resolution of Intention to detach Zone No. 74 from LLAD No. 4 and a Detachment Agreement with the Tesoro HOA which provides for the detachment of Zone No. 74, from the LLAD effective April 30, 2014, so as to allow for the expenditure of Zone No. 74 funds currently held by the LLAD.

County Counsel has approved the enclosed Resolution as to form.

ENVIRONMENTAL DOCUMENTATION

The detachment of Zone No. 74, Tesoro Del Valle, from the Los Angeles County LLAD No. 4 is not subject to the California Environmental Quality Act (CEQA) in that the action does not meet the definition of a project according to Section 15378 (b)(5) of the State CEQA Guidelines because the action includes administrative activities which by their terms do not involve any commitments to any specific projects which may result in a potentially significant physical impact on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of this action will cause no impact on current services or programs.

CONCLUSION

It is requested that two adopted copies of this document be forwarded to the Department of Parks and Recreation.

Should you have any questions, please contact Susan Sherman at (661) 294-3580 or ssherman@parks.lacounty.gov, Kandy Hayes at (626) 821-4600 or khayes@parks.lacounty.gov, Elsi Mares at (213) 738-2986 or emares@parks.lacounty.gov, or Kaye Michelson at (213) 738-2955 or kmichelson@parks.lacounty.gov.

Respectfully submitted,

by Robert A. Mayrusber

RUSS GUINEY
Director

RG:KEH:MK
CM:SS:rc

Attachments

c: Chief Executive Officer
County Counsel
Executive Officer, Clerk of the Board
Auditor Controller