COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"
Russ Guiney, Director

May 8, 2007

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:

RESOLUTION INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR ZONES WITHIN LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT NOS. 1, 2, AND 4; AN AMENDMENT TO EXISTING RATES IN THREE ZONES IN LLA DISTRICT NO. 4; AN AMENDMENT TO THE EXISTING RATES IN FOUR ZONES IN LLA DISTRICT NO. 2; AND NEW CONSUMER PRICE INDEX ADJUSTMENT COMPONENTS FOR FOUR ZONES IN LLA DISTRICT NO. 2; AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH LLA DISTRICTS AND ZONES FOR FISCAL YEAR 2007–2008; AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT IN CONNECTION THEREWITH
(1st, 3rd, 4th and 5th Districts - Three-Vote Matter)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the preparation of the Engineer's Report is categorically exempt from the California Environmental Quality Act (CEQA), according to the State CEQA Guidelines and the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, cited herein.
2. Adopt the attached Resolution Initiating Proceedings to levy annual assessments for landscape and park maintenance purposes for Landscaping and Lighting Act (LLA) District Nos. 1, 2, and 4 and Zones therein, pursuant to provisions of the Landscaping and Lighting Act of 1972 (the "Landscaping and Lighting Act"), Section 22500 et. seq. of the California Streets and Highways Code ("Streets and Highways Code"), and as provided by Article XIIID of the California Constitution; and to amend the existing rates for LLA District No. 4, Zone No. 68 (West Creek Copper Hill Village), Zone No. 69 (West Creek Canyon Estates), and Zone No. 77 (West Creek Park); to amend the existing rates for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide); and to add a new consumer price index ("CPI") adjustment component for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide).

3. Designate the Director of the Department of Parks and Recreation (Director) as the "Engineer" for purposes of implementing this procedure.
4. Instruct the Director to prepare and file an Engineer's Report in accordance with Section 22565 of the Streets and Highways Code; for the annual levy of assessments for Fiscal Year 2007–2008 within LLA District Nos. 1, 2, and 4 and Zones therein, and to amend the existing rates for LLA District No. 4, Zone No. 68 (West Creek Copper Hill Village), Zone No. 69 (West Creek Canyon Estates), and Zone No. 77 (West Creek Park); to amend the existing rates for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide); and to add a new CPI adjustment component for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide) and levying of assessments therein.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this recommended action is for your Board to initiate proceedings for the levying of annual assessments for landscape and park maintenance purposes by directing this Department to prepare the required annual Engineer's Report. This Engineer's Report will also include an amendment to the existing rates for LLA District No. 4, Zone No. 68 (West Creek Copper Hill Village), Zone No. 69 (West Creek Canyon Estates), and Zone No. 77 (West Creek Park); an amendment to the existing rates for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide); and new CPI adjustment components for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide).

This Board action only initiates the assessment process and does not, in itself, establish any assessment rates.

On July 12, 1979, August 10, 1995, and July 22, 1997, your Board approved the formation of LLA District No. 1 and County LLA Districts No. 2 and No. 4 and Zones therein, respectively, for the purpose of providing landscaping in County-administered LLA Districts and Zones therein pursuant to provisions of the Landscaping and Lighting Act. As the governing body, the Board of Supervisors is responsible for approving the levying of annual assessments for landscape and park maintenance purposes. Board adoption of the Resolution Initiating Proceedings institutes the annual assessment process for the renewal or increase of existing annual assessments and the establishment of new assessments for Fiscal Year 2007–2008. Proceedings regarding the proposed amendment to the existing rates in LLA District No. 4, Zone No. 68 (West

Creek Copper Hill Village), Zone No. 69 (West Creek Canyon Estates), and Zone No. 77 (West Creek Park); an amendment to the existing rates for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide); and new CPI adjustment components for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide) in LLA District No. 2 will be considered pursuant to a Resolution of Intention, as required by the Streets and Highways Code and as provided by Article XIIID of the California Constitution.

Implementation of Strategic Plan Goals

These actions will further the County's Strategic Plan Goals of Service Excellence (Goal One) and Fiscal Responsibility (Goal Four). These recommendations, in compliance with the Landscape and Lighting Act and Article XIIID of the California Constitution, will allow the County to service and maintain the park, landscaping and appurtenant facilities that benefit those who live within these Zones.

FISCAL IMPACT/FINANCING

All services provided in the Districts, and Zones therein, are funded by the assessments established by the Board of Supervisors. There is no fiscal impact to the General Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Landscaping and Lighting Act sets forth procedures that must be followed for any fiscal year during which assessments levied in a prior fiscal year are to be continued. The Landscaping and Lighting Act, Government Code Section 53753, and the California Constitution establish procedures that must be followed for the levy of any new being or increased assessments. The Landscaping and Lighting Act requires that your Board adopt a Resolution Initiating Proceedings, and generally describe any proposed improvements or substantial changes in existing improvements. Your Board must also order the Engineer to prepare and file a report in accordance with Section 22565 of the Streets and Highways Code.

Amendments to the existing rates are being proposed for LLA District No. 4, Zone No. 68 (West Creek Copper Hill Village), Zone No. 69 (West Creek Canyon Estates), and Zone No. 77 (West Creek Park); and LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide).

The addition of a CPI adjustment component to the annual assessments is also being proposed for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide) to ensure the future financial viability of these Zones.

Over the next month, we will submit for your Board's approval, the required Engineer's Report and Resolution of Intention, setting the public hearing date to establish the assessments for Fiscal Year 2007–2008, pursuant to the Streets and Highways Code and as provided by Article XIIID of the California Constitution.

County Counsel has approved the enclosed Resolution as to form.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

None.

ENVIRONMENTAL DOCUMENTATION

The preparation of the Engineer's Report is exempt from CEQA according to Section 15306 of the State CEQA Guidelines and Class 6 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, because the preparation of the Engineer's Report consists of basic data collection.

According to Sections 15273 (a) (1) (2) (3) (4), CEQA does not apply to the establishment, modification, structuring, or approval of rates, tolls, fares, or other charges by public agencies. Additionally, CEQA does not apply to the approval of the amendments and consumer price index adjustment because these actions are for the purposes of: (1) meeting operating expenses including employee wage rates and fringe benefits; (2) purchasing and leasing supplies, equipment, or materials; (3) meeting financial reserve needs and requirements; and/or (4) obtaining funds for capital projects necessary to maintain service within existing service areas, pursuant to Section 21080 (b)8 of the Public Resource Code.

CONCLUSION

It is requested that an executed copy of this document be retained by the Executive Officer-Clerk of the Board, one conformed copy each be forwarded to the Chief Administrative Office, County Counsel, and Auditor-Controller, and two conformed copies be forwarded to the Department of Parks and Recreation.

Respectfully submitted,

Russ Guiney
Director

Attachment

c: Executive Officer, Board of Supervisors (22)
Chief Administrative Officer
County Counsel
Auditor-Controller

COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS

RESOLUTION INITIATING PROCEEDINGS FOR THE ANNUAL LEVY OF ASSESSMENTS FOR ZONES WITHIN LOS ANGELES COUNTY LANDSCAPING AND LIGHTING ACT (LLA) DISTRICT NOS. 1, 2, AND 4; AN AMENDMENT TO EXISTING RATES IN THREE ZONES IN LLA DISTRICT NO. 4; AN AMENDMENT TO THE EXISTING RATES IN FOUR ZONES IN LLA DISTRICT NO. 2; AND NEW CONSUMER PRICE INDEX ADJUSTMENT COMPONENTS FOR FOUR ZONES IN LLA DISTRICT NO. 2; AND THE LEVY AND COLLECTION OF ASSESSMENTS WITHIN SUCH LLA DISTRICTS AND ZONES FOR FISCAL YEAR 2007–2008 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT IN CONNECTION THEREWITH

WHEREAS, on July 12, 1979, August 10, 1995, and July 22, 1997, the Board of Supervisors of the County of Los Angeles approved the formation of Landscape and Lighting Act ("LLA") District Nos. 1, 2, and 4, respectively, for the purpose of providing funds for the operation of the LLA Districts and Zones within the County of Los Angeles pursuant to provisions of the Landscaping and Lighting Act of 1972 (the "Landscaping and Lighting Act"), Section 22500 et. seq. of the California Streets and Highways Code ("Streets and Highways Code"); and

WHEREAS, three (3), twenty-four (24) and seventeen (17) separate Zones have been established within the LLA District Nos. 1, 2, and 4, respectively, and each Zone consisting of territory receives substantially the same degree of benefit from the improvements; and

WHEREAS, each of the three (3), twenty-four (24), and seventeen (17) Zones within LLA District Nos. 1, 2, and 4, respectively, retain separate budgets, trust accounts, and unit numbers established by the Los Angeles County Auditor-Controller; and

WHEREAS, the Board of Supervisors previously approved the formation of LLA District Nos. 1, 2, and 4 and Zones therein for the purpose of providing funds for landscape maintenance services located therein pursuant to the Landscaping and Lighting Act; and

WHEREAS, the Board of Supervisors hereby proposes to levy annual assessments for existing LLA Districts and Zones, and to levy and collect assessments against the lots and parcels of land within such LLA Districts and Zones to pay the costs and expenses of the landscape improvements for the fiscal year commencing July 1, 2007, and ending June 30, 2008, pursuant to the Landscaping and Lighting Act; and

WHEREAS, the Board of Supervisors hereby proposes to amend the existing rates for LLA District No. 4, Zone No. 68 (West Creek Copper Hill Village), Zone No. 69 (West Creek Canyon Estates), and Zone No. 77 (West Creek Park); and

WHEREAS, the Board of Supervisors hereby proposes to amend the existing rates for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide); and

WHEREAS, the Board of Supervisors hereby proposes to add a consumer price index ("CPI") adjustment to the annual assessment in LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide); and

WHEREAS, the general location and boundaries of the LLA Districts and Zones are shown on maps on file in the office of the Los Angeles County Department of Parks and Recreation and are incorporated herein by reference and open to public inspection; and

WHEREAS, provisions of the Landscaping and Lighting Act require the Board of Supervisors to adopt a Resolution Initiating Proceedings, to generally describe any proposed improvements or substantial changes in existing improvements, and to order the Engineer to prepare and file a report in accordance with Section 22565, of the Streets and Highways Code and Article XIIID of the California Constitution.

NOW, THEREFORE, BE IT RESOLVED,

Section 1. That the Board of Supervisors proposes to establish assessments for park and landscape maintenance purposes for the 2007–2008 Fiscal Year to be levied against property in LLA District Nos. 1, 2, and 4 and the Zones therein pursuant to provisions of the Landscaping and Lighting Act.

Section 2. That the Board of Supervisors proposes to establish assessments for park and landscape maintenance purposes for the 2007–2008 Fiscal Year pursuant to provisions of the Landscaping and Lighting Act, to be used for the maintenance, repair, replacement, and upgrades to planted and irrigated slopes, turf areas, parkway panels, medians, automated irrigation system components, and park improvements within LLA District Nos. 1, 2, and 4 and the Zones therein, in compliance with procedures set forth in the Streets and Highways Code.

Section 3. That the Board of Supervisors proposes to amend the existing rates with regards to LLA District No. 4, Zone No. 68 (West Creek Copper Hill Village), Zone No. 69 (West Creek Canyon Estates), and Zone No. 77 (West Creek Park).

Section 4. That the Board of Supervisors proposes to amend the existing rates with regards to LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. 56 (Valencia Commerce Center Area Wide).

Section 5. That the Board of Supervisors proposes to add a CPI adjustment component for LLA District No. 2, Zone No. 37 (Castaic Hillcrest), Zone No. 40 (Castaic Shadow Lake), Zone No. 48 (Shadow Hills), and Zone No. (56 Valencia Commerce Center Area Wide).

Section 6. That the Director of the Los Angeles County Department of Parks and Recreation is hereby ordered to prepare and file Engineer's reports in accordance with Section 22565 of the Streets and Highways Code.

The foregoing Resolution was on the _____ day of _____, 2007, adopted by the Board of Supervisors 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-
Clerk of the Board of Supervisors of
the County of Los Angeles

By:_____
Deputy

APPROVED AS TO FORM
BY COUNTY COUNSEL

RAYMOND G. FORTNER, JR.

By: _____
Principal Deputy County Counsel