



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Robert Fisher, Acting City Manager

PREPARED BY: Nate Smith, Deputy Director of Public Works/City Engineer
Art Vela, Director of Public Works

MEETING DATE: March 25, 2025

SUBJECT: Consideration of Resolution 2025-38, Initiating Proceedings to Update Landscape Maintenance District No. 1 for Fiscal Year 2025/2026

RECOMMENDATION:

Adopt Resolution 2025-38.

BACKGROUND:

In accordance with the "Landscaping and Lighting Act of 1972" ("1972 Act") of the Streets and Highways Code, the City Council adopted a resolution on August 14, 1990, ordering the formation of Landscape Maintenance District (LMD) No. 1, ("the District") the boundaries of which are shown in Attachment "2." An additional five tracts and three tentative tracts were annexed (Annexation No. 1) into LMD No. 1 when the City Council approved Resolution No. 2005-36 on May 10, 2005. Tract No. 37320 then joined LMD No. 1 on November 14, 2023 when the City Council approved Resolution No. 2023-177, as Annexation No. 2. The District, by special benefit assessments, provides funding for the servicing and maintenance of certain landscape areas within the City of Banning, all of which are located in the public right-of-way. The 1972 Act requires that assessments are to be levied according to benefit rather than according to assessed value. Adopting this resolution will initiate the proceedings to update the District for Fiscal Year 2025/2026. A tentative schedule for updating the District, as required by the "Landscaping and Lighting Act of 1972," is attached hereto as Attachment "3" for your information.

On February 11, 2025 an update of LMD No. 1 was presented to the City Council, along with options to consider in ensuring the budget within each Zone stays within its' means, which includes required budget cuts. The staff report and presentation are attached as Attachment "4" and the options for the Council's consideration were listed and explained. The direction from the City Council was to research the prospect of removing Richard Sanchez Park from Zone 1 and assigning its operation and maintenance to the Parks Department. Currently, the City Attorney's Office and Engineering Division staff are researching the process to deannex Richard Sanchez Park from the LMD and if feasible, it can be removed from the District when the Engineer's Report for FY 25/26 is brought forward for consideration at the May 13, 2025 City Council meeting.

Additionally, the City Council requested that staff look at the possibility of removing the horse vinyl fencing from the trails within LMD No. 1. The fencing is often vandalized, leading to thousands of dollars of required repairs each year and it appears it is not used as an equestrian trail, as intended.

JUSTIFICATION:

The City Council approved the formation of LMD No. 1 by adopting Resolution No. 1990-59 on August 14, 1990. The adoption of Resolution 2025-38 will enable the City Engineer to prepare the assessments

for Fiscal Year 2025/2026.

FISCAL IMPACT:

None. A detailed estimate will be prepared and forwarded with the Engineer's Report which will be brought before the City Council on May 13, 2025.

ALTERNATIVES:

Do not approve Resolution 2025-38 and provide alternative direction to staff. If this Resolution is not approved, then the assessment of properties within LMD No. 1 for FY 25/26 will not occur, leaving no revenues for the FY 25/26 budget.

BUDGETED?:

No

CONTRACT/AGREEMENT:

No

ATTACHMENTS:

1. [Resolution 2025-38, LMD Proceedings.docx](#)
2. [LMD No.1 Map of Zones 1 thru 11 Combined.pdf](#)
3. [Tentative Schedule for Updating LMD No. 1.pdf](#)
4. [February 11, 2025 LMD No. 1 Options Agenda Packet.pdf](#)