



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Ann Marie Loconte, Associate Engineer
Art Vela, Director of Public Works

MEETING DATE: February 13, 2024

SUBJECT: Consideration of Resolution 2024-21, Initiating Proceedings to Update Landscape Maintenance District No. 1 for Fiscal Year 2024/2025

RECOMMENDATION:

Staff recommends that City Council adopt Resolution 2024-21, initiating proceedings to update Landscape Maintenance District No. 1 for Fiscal Year 2024/2025 in order to prepare the assessments of the area.

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. Resolution No. 2024-21 will initiate proceedings to update the assessment for LMD No. 1 for Fiscal Year 2024/2025. A tentative schedule for updating the District, as required by the "Landscaping and Lighting Act of 1972," is attached hereto as Attachment 3.

JUSTIFICATION:

The City Council approved the formation of Landscape Maintenance District No. 1 by adopting Resolution 1990-59 on August 14, 1990. The adoption of Resolution 2024-21 will enable the City Engineer to prepare the assessments for Fiscal Year 2024/2025.

FISCAL IMPACT:

None related to Resolution 2024-21. Staff plans on presenting detailed information regarding the revenues and expenditures related to LMD No.1 during a workshop in the near future. Additionally, a detailed estimate will be prepared and forwarded with the required Engineer's Report.

ALTERNATIVES:

1. Adopt Resolution 2024-21 as recommended.
2. Adopt Resolution 2024-21 with modifications.
3. Do not approve Resolution 2024-21 and provide alternative direction to staff. Not approving the update of the LMD No. 1 assessment will likely result in decreased revenue for maintaining the

LMD No. 1 areas.

ATTACHMENTS:

1. [Resolution 2024-21.docx](#)
2. [Attachment 2- LMD No.1 Map.pdf](#)
3. [Attachment 3- Tentative Schedule for Updating Landscape Maintenance District No. 1.doc](#)