

## RESOLUTION NO. 5293

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS RELATED TO THE ARROYO GRANDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, WITHIN TRACT 1769, FOR FISCAL YEAR 2023-2024**

**WHEREAS**, on May 12, 1992, the City Council of the City of Arroyo Grande adopted Resolution No. 2932 ordering the formation of Arroyo Grande Landscaping and Lighting Assessment District No. 1 (“District”), within Tract 1769, under Part 2 of Division 15 of the California Streets and Highways Code sections 22500-22679 (Landscape and Lighting Act of 1972), which allows local governmental agencies to form assessment districts for the purpose of financing the costs and expenses of landscaping and lighting public areas; and

**WHEREAS**, improvements in the District include but are not limited to: landscaping and ornamental vegetation in the public rights of way; and

**WHEREAS**, the City Council, at its meeting of June 13, 2023, received a report from the Public Works Director advising the City Council that no new improvements or substantial changes in existing improvements are proposed for District.

**WHEREAS**, the City Council desires to levy and collect the annual assessments against lots and parcels of land within the District to pay the costs and expenses related to the aforementioned improvements described in this Resolution; and

**WHEREAS**, an Engineer’s Report entitled Parkview, Landscaping District 1 Tract 1769 Fiscal Year 2023-24, (“Engineer’s Report”) has been prepared and filed with the City Clerk and approved by the City Council, which provides a detailed description of the improvements, the proposed operation and maintenance costs, the boundaries of the assessment District, and the proposed assessments upon assessable lots and parcels of land within the District.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Arroyo Grande, as follows:

1. The foregoing recitals are true and correct and are incorporated herein.
2. That the City Council hereby declares that it is its intention to seek the annual levy of assessments for the District pursuant to Streets and Highways Code section 22624 et seq., over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the costs of the maintenance and servicing of the landscaping improvements and all appurtenant facilities and operations related thereto for Fiscal Year 2023-2024 within the boundaries of the

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District described herein and in more detail within the Engineer's Report.

3. The improvements to be maintained are specified in the Engineer's Report, no substantial changes are proposed to be made to the existing improvements and the assessment is not proposed to increase from the prior year.
4. That the City Council hereby declares its intention to conduct a public hearing concerning the District and the levy of proposed assessments for the improvements related thereto in accordance with Streets and Highways Code section 22628 et seq.
5. That notice is hereby given that a public hearing on these matters will be held by the City Council on **Tuesday, June 27, 2023 at 6:00 p.m.** or as soon thereafter as feasible at the City Council Chambers, 215 E. Branch Street, Arroyo Grande, California, 93420 or via teleconference as follows: Zoom Meeting: <https://us02web.zoom.us/j/86752345420>; or by Telephone: 1-669-900-6833; 1-346-248-7799.
6. That the City Clerk shall cause notice to be given of the time and place of the public hearing by causing the publishing of this Resolution once in the local paper not less than ten (10) days before the date of the hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.
7. That the action is categorically exempt from the California Environmental Quality Act under the Class 2 exemption, which applies to the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. (State CEQA Guidelines, § 15302.)

On motion of Mayor Pro Tem Barneich, seconded by Council Member George, and on the following roll call vote, to wit:

**AYES:** Mayor Pro Tem Barneich, Council Members George, Guthrie, and Mayor Ray Russom

**NOES:** None

**ABSENT:** Council Member Secrest

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The foregoing Resolution was passed and adopted this 13<sup>th</sup> day of June, 2023.

**/s/ CAREN RAY RUSSOM, MAYOR**

**ATTEST:**

**/s/ JESSICA MATSON, CITY CLERK**