

RESOLUTION NO. 96-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS FOR EL PASO DE ROBLES LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 1, FISCAL YEAR 1996/1997.

The City Council of the City of El Paso de Robles, California does resolve as follows:

WHEREAS, The City Council of the City of El Paso de Robles, California, has, by previous Resolutions, formed the El Paso de Robles Landscape and Lighting Maintenance Assessment District No. 1 (hereinafter referred to as the "District"), and initiated proceedings for Fiscal Year 1996/97, pursuant to the provisions of the *Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500* (hereinafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Luis Obispo for the City of El Paso de Robles to pay for the maintenance and services of all improvements and facilities related thereto.

WHEREAS, the City Council has retained MuniFinancial, Inc., for the purpose of assisting with the Annual Levy of the District, and to prepare and file a report with the City Clerk in accordance with the Act;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA, FOR EL PASO DE ROBLES LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 1, PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT, AS FOLLOWS:

Section 1 Intention: The City Council hereby declares that it is its intention to seek the Annual Levy of the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs of the improvements.

Section 2 Description of improvements and any substantial changes proposed: The improvements within the District include: turf, ground cover, shrubs and trees, irrigation systems, drainage systems, open space areas, public pedestrian paths, entry monuments, fencing, lighting systems and all necessary appurtenances. By Resolution No. 93-103, and Resolution No. 95-132, the City Council annexed into the District Sub Area (19) Tract 1463-2, Union; and Sub Area (21) Tract 1754-1, Eagle Creek. In addition, Sub Area (2) has had 105 new parcels annexed by Resolution No. 95-164. Fiscal Year 1996/97 is the first year of assessment for these newly annexed sub areas and parcels. The Annual Levy Report, as ordered by previous Resolution, provides a full and complete description of all improvements and any or all substantial changes to the District or improvements within the District.

Section 3 Boundaries and Designation: The boundaries of the District are described as the boundaries previously defined in the formation documents of the original District. The District includes twenty five Sub Areas: (1) Tract 1581-1; (2) Tract 695; (3) Tract 1457; (4) Tract 721; (5) Tract 1508; (6) Tract 1463-1; (7) Woodland Plaza; (8) Tract 1630; (9) Tract 1942; (10) Tract 2036; (11) Tract 1723; (12) Tract 2070; (13) Willhoit; (14) Williams Brothers; (15) Tract 1832; (16) Tract 1508-3; (18) Tract 1581-2; (19) Tract 1463-2 ; (20) PM 91-088; (21) Tract 1754-1; (22) Woodland; (23) Tarr; (25) Johnson; (27) Tract 1508-4; and (30) Schnied. The District is designated as "El Paso de Robles Landscape and Lighting Maintenance Assessment District No. 1."

Section 4 Proposed Assessment Amounts: For Fiscal Year 1996/97, the proposed assessments for Sub Areas (6), (7) and (22) have increased over the previous Fiscal Year. Sub Areas (19), (21) and 105 new parcels in Sub Area (2), are being assessed for the first time. All proposed assessments for the other Sub Areas in the District will not increase over the previous Fiscal Year. The Annual Levy Report details all increased assessments or changes.

Section 5 Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing annually concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act.

Section 6 Notice: The City Clerk shall give notice of the time and place of the Public Hearing by causing the publishing of this Resolution twice in the **Country News - Press** for two consecutive weeks 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. Pursuant to *Chapter 3, Section 22626 (b) of the Act*, notice of Public Hearing required by *Section 54954.6 of the Government Code* shall be mailed as provided in subdivision (c) of that section.

Section 7 Time of Public Hearing:

Notice is hereby given that a Public Meeting and a Public Hearing on these matters will be held by the City Council on **Tuesday June 4, 1996 at 7:30 p.m. (Public Meeting)** and **Tuesday June 18, 1996 at 7:30 p.m. (Public Hearing)**, or as soon thereafter as feasible in the Paso Robles School Board Meeting Room, located at 800 Niblick Rd., El Paso de Robles, California.

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PASSED, APPROVED, AND ADOPTED THIS 16th day of April, 1996.

Walter J. Macklin
Mayor
City of El Paso de Robles

R. J. Davis
City Clerk
City of El Paso de Robles

STATE OF CALIFORNIA)

COUNTY OF SAN LUIS OBISPO) ss.

CITY OF EL PASO DE ROBLES)

I, Ronald J. Davis, City Clerk of the City of El Paso de Robles, County of San Luis Obispo, State of California do hereby certify that the foregoing Resolution No. 96-49 was regularly adopted by the City Council of said City of El Paso de Robles at a regular meeting of said council held on the 16th day of April, 1996, by the following vote:

AYES: Iversen, Martin, Picanco, and Macklin

NOES: None

ABSENT: Heggarty

ABSTAINED: None

R. J. Davis
City Clerk
City of El Paso de Robles