

RESOLUTION NO. 2009-21

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN JUAN BAUTISTA DECLARING ITS
INTENTION TO LEVY AND COLLECT ASSESSMENTS
WITHIN VALLE VISTA LANDSCAPE AND LIGHTING MAINTENANCE
ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2009-10 AND SETTING
THE TIME AND PLACE FOR A HEARING ON SAID ASSESSMENT**

WHEREAS, pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (“Act”), the City levies an annual assessment in connection with its Valle Vista Landscape and Lighting Maintenance Assessment District No. 1 (“District”); and

WHEREAS, by prior resolution, this Council ordered preparation of an Engineer’s Report (“Report”) with respect to the assessment proposed to be levied in connection with the District for Fiscal Year 2009-10; and

WHEREAS, by prior resolution, this Council approved the Report as filed; and

WHEREAS, a copy of the approved Report is on file in the Office of the City Clerk, available for public inspection at said Office, and incorporated herein by reference; and

WHEREAS, the City Council desires to declare its intention to levy the proposed assessment for Fiscal Year 2009-10.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of San Juan Bautista as follows:

1. The Council hereby declares its intention to levy and collect assessments in connection with the District for Fiscal Year 2009-10, as set forth in the Report.
2. The District is designated by the following distinctive name: “Valle Vista Landscaping and Lighting Maintenance Assessment District No. 1.” The District is generally described as a district including the parcels on both sides of Ahwahnee Street and Donner Street, bounded by San Juan Highway and Third Street. Reference is made to the Report for a more complete and exact definition of the territory included in the District.
3. The improvements to be maintained, operated and serviced in connection with the District are generally described as: street lighting and street landscaping within the District; as well as lighting and landscaping associated with the detention basin, sanitary sewer pump station, and public park located within the District.

4. Reference is hereby made to the Report for a full and detailed description of the public improvements, the boundaries of the District, and the proposed Fiscal Year 2009-2010 assessments upon assessable lots and parcels of land within the District.

5. The amount of the assessment for Fiscal Year 2009-10 is not proposed to increase from the rate effective for Fiscal Year 2008-09, adjusted for inflation according to the methodology submitted to property owners as part of a mail ballot protest proceeding in 2008.

6. It is ordered that Tuesday, August 18, 2009 at the hour of 6:00 o'clock p.m., in the regular meeting place of this Council, the Council Chambers, City Hall, 311 Second Street, San Juan Bautista, California, is the time and place where this Council will hold a public hearing on the proposed assessment. At the Hearing, all interested persons will be permitted to present written and/or oral testimony regarding the proposed assessment. The City Clerk is directed to give notice of the Hearing by one publication of a copy of this Resolution in the local newspaper published and circulated in the City, pursuant to Section 6061 of the California Government Code, said publication to be had and completed at least ten (10) days before the date herein set for the Hearing

10. The City Council designates Mitch Gabriel of Hanna & Brunetti, Gilroy, CA, who may be contacted by telephone at (408) 842-2173, as the person whom interested parties may contact for additional information regarding the District or the proposed assessment.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of San Juan Bautista duly held on the 21st day of July, 2009, by the following vote:

Ayes: Edge, Hill, Bilich, Moore

Noes: None

Absent: None

Abstain: Laverone

Rick Edge, Mayor

ATTEST:

Trish Paetz, Deputy City Clerk