

RESOLUTION NO. 5752

A RESOLUTION OF INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR FISCAL YEAR 2009-10 FOR THE SEBASTOPOL LIGHTING SPECIAL ASSESSMENT DISTRICT, PRELIMINARILY APPROVE THE ENGINEER'S REPORT AND SET THE DATE OF THE PUBLIC HEARING IN ACCORDANCE WITH THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, during 1981 the City Council ordered the formation of the Assessment District to levy and collect assessments to fund the operation and maintenance of the citywide streetlight system pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, an Engineer's Report is required to be prepared and filed each year outlining the proposed budget and assessment, the proposed improvements to be maintained and the changes to the Assessment District in order to levy and collect assessments on any following Fiscal Year ; and

WHEREAS, the City Council intends to levy and collect assessments from the parcels within the Assessment District during the following FY 2009-10, located within the City of Sebastopol, Sonoma County; and

WHEREAS, on April 21, 2009 the City Council adopted City Council Resolution No. 5747 appointing Green Valley Engineering as the Engineer of Work, directing the preparation and filing of the annual Engineer's Report and describing the potential changes to the Assessment District for FY 2009-10; and

WHEREAS, Green Valley Engineering has prepared and filed with the City Clerk the annual Engineer's Report for FY 2009-10 as required by the Landscaping and Lighting Act of 1972; and

WHEREAS, the proposed improvements to be maintained in this Assessment District are the streetlights within the Sebastopol City limits; and

WHEREAS, the annual Engineer's Report for FY 2009-10 includes changes to the Assessment District such as subdivision developments, lot splits, land use changes or corrections during FY 2009-10 that have resulted in an increase of 7.5 equivalent Single-Family Dwelling (ESD) units for a new total of 3,838.0 ESD units; and

WHEREAS, all interested persons are referred to the filed Engineer's Report for a full and 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 Assessment District for FY 2009-10 and

WHEREAS, the annual assessment per ESD unit for FY 2009-10 is proposed to be \$23.32 per ESD, the same as assessed FY 2008-09; and

WHEREAS, this Resolution is adopted pursuant to Section 22624 of the State of California, Streets and Highways Code; and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Sebastopol hereby intends of levy and collect assessments during FY 2009-10 and preliminarily approves the filed FY 2009-10 Engineer's Report with the estimate of costs to maintain said streetlight improvements and incidentals; and

BE IT FURTHER RESOLVED that a public hearing regarding this Assessment District will be held on Tuesday, June 16, 2009 at 7:00 p.m. at the Sebastopol Youth Annex, 425 Morris Street, Sebastopol. At the public hearing, the City Council will consider any changes to the Assessment District and authorization to levy and collect the proposed annual assessments for FY 2009-10; and

BE IT FURTHER RESOLVED THAT the City Clerk is authorized and directed to give the Notice of Public Hearing as required by the provisions of the Landscaping and Lighting Act of 1972 for said public hearing.

ADOPTED this 2nd day of June, 2009.

APPROVED: 
MAYOR SARAH GLADE GURNEY

AYES: Councilmembers Robinson, Wilson, Shaffer and Mayor Gurney

NOES: None

ABSENT: Vice Mayor Kelley

ABSTAIN: None

ATTEST:


City Clerk Mary Gourley