

RESOLUTION R2013_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT, CONFIRMING DIAGRAM AND ASSESSMENT, AND ORDERING LEVY OF ASSESSMENT FOR THE CITYWIDE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2013-2014

WHEREAS, the City Council pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (hereafter referred to as the "Act") did by previous resolution, order the preparation of an Engineer's Report (hereafter referred to as the "Report") for the proposed increase of assessments within the Citywide Landscape Maintenance Assessment District; and

WHEREAS, the Report has now been presented to this City Council as required by Section 22623 of said Act; and is attached hereto as Exhibit "A" and on file in the office of the City Clerk; and

WHEREAS, the City has carefully examined and reviewed the Report as presented and is satisfied with the proposed assessment, each and all of the budgets items and documents as set forth therein, and is satisfied that the proposed assessment amounts have been spread in accordance with the special benefit received from the improvements, operation, maintenance and services to be performed within the District, as set forth in said Report; and

WHEREAS, by Resolution R2013-18, dated April 16, 2013, the City Council determined that the adoption of a maintenance assessment is categorically exempt from CEQA pursuant to Section 15301(h) of the CEQA Guidelines which exempts maintenance of existing landscaping and lighting; and

WHEREAS, by Resolution R2013-19, dated April 16, 2013, the City Council declared its intention to levy and collect assessments within the District for Fiscal Year 2013-2014, and gave notice of a public hearing to consider approval of the assessment; and

WHEREAS, notice of the hearing was processed pursuant to provisions of Section 22626(a) of the Streets and Highways Code, duly noticed and published once in the local paper at least ten (10) days before the date of the hearing; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

ATTACHMENT 1

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby confirms the diagram and assessment set forth in the Report as presented and hereto attached as Exhibit "A", and as set forth in the Streets and Highways Code Section 22631, consisting of the following:

A. Description of Improvements and Proposed Assessments;

B. The Annual Budget (Costs and Expenses of Services, Operations and Maintenance);

C. The District Roll, containing the Fiscal Year 2013-2014 levy for each Assessor Parcel within the District, is hereby approved and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

3. The City Council's adoption of this resolution shall constitute the levy of an assessment for Fiscal Year 2013-2014.

4. That the City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the presentation of the Report.

5. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 21st day of May, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____

Dorothy Roberts
City Clerk

Approved as to form:

Michael W. Barrett
City Attorney