The City Council of the City of Atascadero (hereafter referred to as “City Council”) does resolve as follows:

**WHEREAS,** the City Council has, by previous Resolutions, ordered the preparation of an Engineer's Annual Levy Report (hereafter referred to as the “Report”) for the district known and designated as the Atascadero Landscaping and Lighting Maintenance District No. 3 (hereafter referred to as the “District”) pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division of the Streets and Highways Code of California, beginning with Section 22500 (hereafter referred to as the “Act”); and,

**WHEREAS,** the District and the associated assessments are in compliance with the provisions of California Constitution Article XIIID; and,

**WHEREAS,** the City Council has now been presented with the Report as required by Chapter 1, Article 4, Section 22566 of said Act; and,

**WHEREAS,** the City Council has carefully examined and reviewed the Report as presented and is preliminarily satisfied with the District, each of the budget items and documents as set forth therein and is satisfied on a preliminary basis that the proposed assessments have been spread in accordance with the benefits received from the improvements, operation, maintenance, and services to be performed within each benefit zone as set forth in said Report;

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

**SECTION 1.** The above recitals are true and correct.

**SECTION 2.** That the presented Report consists of the following:

a. A Description of the Improvements
b. The Annual Budget (Costs and Expenses of Services, Operation, and Maintenance)
c. The Method of Apportionment that details the method of calculating each parcel’s proportional special benefits and annual assessment.
d. The District Roll containing the proposed assessment for each parcel within the District for Fiscal Year 2009/2010.
SECTION 3. The Report is hereby approved on a preliminary basis and ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 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.

On motion by Council Member _______________________ and seconded by Council Member ________________________, the foregoing Resolution is hereby adopted in its entirety on the following roll call vote:

AYES:

NOES:

ABSENT:

ADOPTED:

CITY OF ATASCADERO

By: _________________________

Ellen Béraud, Mayor

ATTEST:

______________________________

Marcia McClure Torgerson, C.M.C.,
City Clerk

APPROVED AS TO FORM:

______________________________

Brian A. Pierik, City Attorney