DRAFT RESOLUTION A


WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as “City Council”), pursuant to the provisions the Benefit Assessment Act of 1982, Chapter 6.4 of the California Government Code, beginning with Section 54703 (hereafter referred to as the “Act”), did by previous Resolution order the Engineer, MuniFinancial, to prepare and file a report in accordance with the Act in connection with Street and Storm Drain Maintenance District No. 03 (De Anza Estates) (hereafter referred to as the “District”) and the proposed levy and collection of assessments related thereto for fiscal year 2008/2009, said fiscal year starting July 1, 2008 and ending June 30, 2009; and,

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Atascadero and the City Clerk has presented to the City Council such report entitled “Engineer’s Annual Levy Report for Street and Storm Drain Maintenance District No. 03 (De Anza Estates), fiscal year 2008/2009” (hereafter referred to as “Engineer’s Report”) in accordance with the Act; and,

WHEREAS, the City Council has carefully examined and reviewed the Engineer’s Report as presented, and is satisfied with the items and documents as set forth therein, and finds that the levy of assessments has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Engineer’s 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. The Engineer’s Report as presented, consists of the following:

a) Plans and specifications that describe the District and Improvements.

b) Method of Apportionment that outlines the special benefit conferred on properties within the District from the improvements and the calculations used to establish each parcel’s proportional special benefit assessment.

c) The Budget that outlines the costs and expenses to service, and maintain the improvements including incidental expenses to operate the District.

d) An Assessment Diagram that identifies the boundaries of the District.

SECTION 3. The Engineer’s Report as presented, is hereby approved, and is ordered to be filed in the Office of the City Clerk as a permanent record and to remain open to public inspection.

SECTION 4. The City Clerk shall certify to the passage and adoption of this Resolution and the minutes of this meeting shall so reflect the adoption and approval of the Engineer’s 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: _______________________
  Mike Brennler, Mayor

ATTEST:

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

APPROVED AS TO FORM:

______________________________
Brian A. Pierik, City Attorney