DRAFT RESOLUTION C


WHEREAS, the City Council of the City of Atascadero, California (hereafter referred to as the “City Council”), pursuant to the provisions of Part 2 of Division 15 of the California Streets and Highways Code, did by previous Resolution order the Engineer, MuniFinancial, to prepare and file a report in accordance with Article 4 of Chapter 1 of Part 2 of Division 15 of the California Streets and Highways Code, commencing with Section 22565, in connection with the proposed levy for Landscaping and Lighting District No. 01 (Apple Valley) (hereafter referred to as the “District”) and the collection of assessments related thereto for the 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 the Landscaping and Lighting District No. 01 (Apple Valley), fiscal year 2008/2009” (hereafter referred to as the “Engineer’s Report”) in accordance with the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code of California, beginning with Section 22500 (hereafter referred to as 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 as well as a description of the
assessment range formula that establishes the maximum assessment rate in subsequent fiscal years.

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

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

e) An Assessment Roll containing each of the Assessor’s Parcel Numbers that comprise the District and the proportional maximum assessment and annual assessment for fiscal year 2008/2009.

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