

ATTACHMENT 3

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DIRECTING THE LEVY OF THE ANNUAL ASSESSMENTS RELATED TO THE ARROYO GRANDE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 1, WITHIN TRACT 1769, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 (STREETS AND HIGHWAYS CODE SECTIONS 22500 ET. SEQ.) FOR FISCAL YEAR 2023-2024

WHEREAS, on June 9, 1992, the City Council of the City of Arroyo Grande adopted Resolution No. 2932 ordering the formation of the Arroyo Grande Landscaping and Lighting Assessment District No. 1 ("District"), within Tract 1769 under Part 2 of Division 15 of the California Streets and Highways Code 22500-22679 (Landscape and Lighting Act of 1972), which allows local governmental agencies to form assessment districts for the purpose of financing the costs and expenses of landscaping and lighting public areas; and

WHEREAS, the City Council, at its meeting of June 13, 2023, approved Resolution No. 5293 approving the Engineer's Report and declaring its intention to levy and collect annual assessments for the District for Fiscal Year 2023-2024 and set a public hearing for June 27, 2023 for the District; and

WHEREAS, a public hearing to levy the annual assessment of the Arroyo Grande Landscaping and Lighting Assessment District No. 1 was held June 27, 2023 at the City Council Chambers, 215 E. Branch Street, Arroyo Grande, California, 93420 and the City Council took public testimony from all interested persons as to the levy of the annual assessment for the District; and

WHEREAS, pursuant to Streets and Highways Code Section 22130, the City Council is authorized to levy this assessment; and

WHEREAS, pursuant to Streets and Highways Code Section 22646, the assessments herein confirmed by the City Council shall be collected on the secured tax roll and collected at the same time and in the same manner as County taxes are collected.

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

1. The foregoing recitals are true and correct and are incorporated herein.
2. The annual levy for the maintenance of District, located as shown in the approved Engineer's Report for the District is hereby ordered and the assessment of \$3,000

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to be equally distributed per assessable parcel for the Fiscal Year 2023-2024 as indicated on Exhibit "A" attached hereto and incorporated herein by this reference, is hereby confirmed.

3. Adoption of this Resolution shall constitute the levy of an assessment for Fiscal Year 2023-2024 and the City Clerk shall file the diagram and assessments with the County of San Luis Obispo Auditor.
4. Adoption of this Resolution to levy and collect annual assessments is not a project subject to the California Environmental Quality Act ("CEQA") because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378. The actions merely constitute an administrative activity of the City. Alternatively, the adoption of resolutions to levy and collect annual assessments is exempt from CEQA on that basis that it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. (State CEQA Guidelines, § 15061, subd. (b)(3).) The levy and collection of assessment fees applies to maintenance of existing improvements and does not result in new construction or physical change in the environment.

On motion of Council Member ____, seconded by Council Member ____, and by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

the foregoing Resolution was passed and adopted this 27th day of June, 2023.

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CAREN RAY RUSSOM, MAYOR

ATTEST:

JESSICA MATSON, CITY CLERK

APPROVED AS TO CONTENT:

WHITNEY McDONALD, CITY MANAGER

APPROVED AS TO FORM:

ISAAC ROSEN, CITY ATTORNEY

SAN LUIS OBISPO COUNTY TAX SYSTEM
TRACT 1769 ASSESSMENTS

FOR TAX ROLL YEAR 2023-24

FUND	ASSESSMENT #	CHARGE
1765	077253001	\$ 100.00
1765	077253002	\$ 100.00
1765	077253003	\$ 100.00
1765	077253004	\$ 100.00
1765	077253005	\$ 100.00
1765	077253006	\$ 100.00
1765	077253007	\$ 100.00
1765	077253008	\$ 100.00
1765	077253009	\$ 100.00
1765	077253010	\$ 100.00
1765	077253011	\$ 100.00
1765	077253012	\$ 100.00
1765	077253013	\$ 100.00
1765	077253014	\$ 100.00
1765	077253015	\$ 100.00
1765	077253016	\$ 100.00
1765	077253017	\$ 100.00
1765	077253018	\$ 100.00
1765	077253019	\$ 100.00
1765	077253020	\$ 100.00
1765	077253021	\$ 100.00
1765	077253022	\$ 100.00
1765	077253023	\$ 100.00
1765	077253024	\$ 100.00
1765	077253025	\$ 100.00
1765	077253026	\$ 100.00
1765	077253027	\$ 100.00
1765	077253028	\$ 100.00
1765	077253029	\$ 100.00
1765	077253030	\$ 100.00
TOTAL		<u>\$ 3,000.00</u>