

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ARROYO GRANDE DECLARING ITS INTENTION TO LEVY
AND COLLECT ANNUAL ASSESSMENTS RELATED TO
THE GRACE LANE ASSESSMENT DISTRICT FOR FISCAL
YEAR 2023-2024**

WHEREAS, on November 28, 2006, the City Council of the City of Arroyo Grande adopted Resolution No. 3976 ordering the formation of the Grace Lane Assessment District ("District") under Part 2 of Division 15 of the California Streets and Highways Code sections 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 said improvements in the District include but are not limited to: 1) a pedestrian trail across the open space property (Lot B) including, but not limited to, the existing informal hiking trail currently passing through Lot B, signage, fencing; 2) common areas and facilities, including but not limited to the open space parcels and drainage facilities; 3) open space and maintenance thereof in accordance with fuel modification specifications as described in Mitigation Measure No. 15 in Resolution No. 3732 of the City Council of the City of Arroyo Grande; and 4) a private drive and associated improvement for Lots 16 through 19; and

WHEREAS, the City Council, at its meeting of June 13, 2023, received a report from the Public Works Director advising the City Council that no new improvements or substantial changes in existing improvements are proposed for the District; and

WHEREAS, the City Council desires to levy and collect the annual assessments against lots and parcels of land within the District to pay the costs and expenses related to the aforementioned improvements described in this Resolution; and

WHEREAS, an Engineer's Report entitled Grace Lane Assessment District Fiscal Year 2023-24, ("Engineer's Report") has been prepared and filed with the City Clerk and approved by the City Council, which provides a detailed description of the improvements, the proposed operation and maintenance costs, the boundaries of the assessment District, and the proposed assessments upon assessable lots and parcels of land within the District.

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.

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2. That the City Council hereby declares that it is its intention to seek the annual levy of assessments for the District pursuant to Streets and Highways Code section 22624 et seq., over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the costs of the maintenance and servicing of the landscaping improvements and all appurtenant facilities and operations related thereto for Fiscal Year 2023-2024 within the boundaries of the District described herein and in more detail within the Engineer's Report.
3. That the improvements to be maintained are specified in the Engineer's Report, no substantial changes are proposed to be made to the existing improvements and the assessment is not proposed to increase from the prior year.
4. That the City Council hereby declares its intention to conduct a public hearing concerning the District and the levy of proposed assessments for the improvements related thereto in accordance with Streets and Highways Code section 22628 et seq.
5. That notice is hereby given that a public hearing on these matters will be held by the City Council on **Tuesday, June 27, 2023 at 6:00 p.m.** or as soon thereafter as feasible at the City Council Chambers, 215 E. Branch Street, Arroyo Grande, California, 93420 or via teleconference as follows: Zoom Meeting: <https://us02web.zoom.us/j/86752345420>; or by Telephone: 1-669-900-6833; 1-346-248-7799.
6. That the City Clerk shall cause notice to be given of the time and place of the public hearing by causing the publishing of this Resolution once in the local paper not less than ten (10) days before the date of the hearing and by posting a copy of this Resolution on the official bulletin board customarily used by the City Council for the posting of notices.
7. That the action is categorically exempt from the California Environmental Quality Act under the Class 2 exemption, which applies to the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. (State CEQA Guidelines, § 15302.)

On motion of _____, seconded by _____, and on the following roll call vote,
to wit:

AYES:

NOES:

ABSENT:

the foregoing Resolution was passed and adopted this 13th 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