

## RESOLUTION 2024-72

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY DECLARING THE INTENT TO ANNEX LANDSCAPING AND LIGHTING DISTRICT PROPERTY AND SETTING THE PUBLIC HEARING

#### CITY OF GRASS VALLEY RESIDENTIAL LANDSCAPING AND LIGHTING DISTRICT NO. 1988-2 (ZONE VI – LOMA RICA RANCH ANNEXATION NO. 2024-1)

WHEREAS, On September 24, 2024 Grass Valley City Council adopted Resolution 2024-69 initiating proceedings to annex the parcels of the Loma Rica Ranch subdivision into the City's existing Residential Landscaping and Lighting District No. 1988-2 ("AD No. 1988-2"); and

WHEREAS, as directed by Resolution 2024-69, the Engineer of Work for the proposed annexation has prepared and filed an Engineer's Report with the City Clerk as required under the Landscaping and Lighting Act of 1972 ("1972 Act," Sts. & Hwy. Code §§ 22500 et seq.); and

WHEREAS, consistent with City Council's adoption of the Engineer's Report it is appropriate for this Council to declare its intention to implement the proposed Loma Rica Ranch Annexation and to schedule the public hearing respecting the matters prescribed therein.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRASS VALLEY, as follows:

1. That the foregoing statements are true and correct; and
2. That Council hereby declares its intention to implement the proposed Loma Rica Ranch Annexation and, in connection therewith, to provide annually for the levy of maintenance special assessments upon the two hundred thirty four (234) benefiting parcels within the boundary of the annexation, in proportion to benefit, all as prescribed by the Engineer's Report.
3. That the maintenance and servicing of landscaping and street lights within the territory of the Loma Rica Ranch Annexation, including but not limited to the replacement of landscaping, hardscaping and park amenities congruent with the landscaping, irrigation and lighting and the furnishing of water and electrical power for the landscaping and power to illuminate the street lights (the "Services"), are described in the Engineer's Report, which is incorporated herein by reference and is available in the office of the City Clerk for review by any interested person.
4. The territory comprising the proposed Loma Rica Ranch Annexation is shown on the map of the proposed boundaries thereof ("Annexation Map No. 2024-1"), approved by Resolution 2024-69 adopted by this Council on September 24, 2024.

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Reference is hereby made to the Annexation Map No. 2024-1 for information respecting the territory included therein.

5. Reference is hereby made to the Engineer's Report for a description of the Services, the estimated annual costs and expenses of the Services, the amount of the proposed individual assessments upon the specially benefited lots and parcels of land within the proposed Loma Rica Ranch Annexation for fiscal year 2025-2026, and the establishment of the maximum annual assessments for fiscal years beyond 2025-2026.
6. The Engineer's Report shall stand as the report for the purpose of all subsequent proceedings under the 1972 Act and Section 53753, except that it may be confirmed, modified, or corrected as provided in the 1972 Act.
7. This Council hereby sets 6:00 PM or as soon thereafter as the matter may be heard, on October 22, 2024 in the Council Chambers at City Hall, 125 East Main Street, Grass Valley, California, as the time, date and place for a public hearing respecting the contents of the Engineer's Report, including but not limited to the proposed Services, the determination of the parcels deemed specially benefited, the estimated annual cost and expense of the proposed Services, the total amount of the proposed assessments, the amounts of individual assessments for Fiscal Year 2025-2026, the establishment of the maximum annual assessments for fiscal years beyond 2025-2026, and related matters as set forth in said report. Any interested person may appear and object to said report or any of the contents therein, which represent recommendations to this Council with respect to the matters presented in said report.
8. The City Clerk is hereby directed to cause a notice of said public hearing to be given by mailing notices thereof, together with assessment ballots, in the time, form and manner provided by Section 53753 with the exception of the 45 days' notice prior to the hearing of which the property owner will submit a waiver prior to the hearing date stating agreement with the shorter notice timeframe, and upon the completion of the mailing of said notices and assessment ballots, the City Clerk is hereby directed to file with the Council a certificate setting forth the time and manner of the compliance with the requirements of law for mailing said notices and assessment ballots.
9. The City Clerk is hereby found and determined to be an "impartial person" within the meaning of Section 53753, and is therefore designated as the person to administer, collect and tally the assessment ballots following the close of the public hearing, in accordance with Section 53753.

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10. Bjorn P Jones, PE, City Engineer in the Public Works Department of the City, telephone (530) 274-4353, is hereby designated to answer inquiries regarding the public hearing and assessment ballot proceedings, and the notice of hearing shall so indicate.

I HEREBY CERTIFY that the foregoing Resolution was passed and adopted by the City Council of the City of Grass Valley at a regular meeting thereof held on the 8th day of October 2024, by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

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Jan Arbuckle, Mayor

APPROVED AS TO FORM:

ATTEST:

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Michael G. Colantuono, City Attorney

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Taylor Whittingslow, City Clerk