

## RESOLUTION 2024-76

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GRASS VALLEY ORDERING ANNEXATION OF PROPERTY TO RESIDENTIAL LANDSCAPING AND LIGHTING DISTRICT NO. 1988-2, LEVYING ASSESSMENTS FOR FISCAL YEAR 2025-2026, AND ORDERING MAINTENANCE SERVICES**

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").

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

1. The foregoing recitals are true and correct, and this City Council hereby expressly so finds and determines.
2. On September 24, 2024, this City Council adopted Resolution No. 2024-69 approving a boundary map ("Annexation Map No. 2024-1") and directing preparation of an engineer's report ("Engineer's Report") in furtherance of annexing the two hundred thirty four (234) parcels of a subdivision known as "Loma Rica Ranch" to the City's existing Residential Landscaping and Lighting District No. 1988-2 ("AD No. 1988-2")
3. On October 8, 2024, the City Council adopted Resolution No. 2024-71 approving the Engineer's Report without modification.
4. On October 8, 2024, the City Council adopted Resolution No. 2024-72, declaring the intent to annex Landscaping and Lighting District property and establishing the time and place for a public hearing with respect to any aspect of the recommendations in the Engineer's Report, as 6:00 PM on October 22, 2024, or as soon thereafter as the matter could be heard, in the Council Chambers at City Hall, 125 East Main Street, Grass Valley, California. The Resolution also directed the City Clerk to provide for mailed notice of the

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hearing, accompanied by the property owner assessment ballot required by Article XIID, section 4 of the California Constitution and Government Code section 53753.

5. The City Clerk has filed in the records of these assessment proceedings a certificate setting forth the time and manner of compliance with the requirements of law for mailing the notice of hearing and assessment ballots, and this City Council hereby finds and determines that the notice of hearing and the assessment ballots contained the information required by law and have been mailed in the time, form and manner required by law.
6. The public hearing was duly convened by this City Council at the time and place prescribed by the mailed notice of hearing, and this City Council heard from all interested persons desiring to be heard. Upon having heard from all such persons, the public hearing was closed, and the matter of opening and tabulating the assessment ballots received prior to the close of the public hearing was referred to the City Clerk.
7. The City Clerk has submitted a report respecting the tabulation of the assessment ballots received, and on the basis thereof this City Council finds and determines that the assessment ballots received in favor of the annexation and the levy of assessments exceed the assessment ballots received in opposition to the annexation and the levy of assessments, as weighted in proportion to the financial obligation of each parcel. Accordingly, a majority protest has not been established, and this City Council wishes to proceed with annexation of the 234 parcels comprising the Loma Rica Ranch Annexation to AD No. 1988-2, and the levy of the assessments as recommended in the Engineer's Report.
8. This City Council hereby finds and determines, and declares as follows:
  - a. The proposed services constituting the Project, as described in the Engineer's Report, provide local and special benefit to the 234 parcels proposed to be assessed, and any general benefits provided by the Project are nominal.
  - b. The assessments proposed to be levied do not exceed the special benefit derived by the parcels assessed.

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- c. The individual assessments have been determined in a fair and equitable manner so as to distribute the estimated costs and expenses of the Project in proportion to the estimated special benefits to be received by such parcels.
  
- 9. The City Council hereby orders the maintenance services constituting the Project, and orders the levy of an equal initial annual assessments of \$684.02 to each of the 234 respective parcels for Fiscal Year 2025-2026, all as set forth in the Engineer’s Report.
  
- 10. The Finance Director of the City (the “Finance Director”), or duly authorized representative, is hereby authorized and directed to cause the preparation and submission to the Nevada County Auditor (the “County Auditor”) of the assessments to be levied for each Fiscal Year, beginning with Fiscal Year 2025-2026, for posting to the County’s property tax roll, such information to be submitted in such format as may be required by the County Auditor. The Finance Director is expressly authorized to retain services of a consultant to assist in preparation and submission of such information on a timely basis.

**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 12th day of November 2024, by the following vote:

AYES:

NOES:

ABSTAINS:

ABSENT:

\_\_\_\_\_  
Jan Arbuckle, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
Michael G. Colantuono, City Attorney

\_\_\_\_\_  
Taylor Whittingslow, City Clerk