

**RESOLUTION 24-25-\***

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK  
ADOPTING THE ENGINEER’S REPORT FOR THE CRESTVIEW ESTATES  
LIGHTING DISTRICT AND OF ITS INTENTION TO LEVY AND COLLECT  
ASSESSMENTS FOR THE CRESTVIEW ESTATES LIGHTING DISTRICT**

WHEREAS, in November 1991, the City of Sutter Creek formed the Crestview Estates Lighting District (“Crestview LD”) for the purpose of administering and maintaining twelve (12) 175 watt metal halide streetlights, and

WHEREAS, the Crestview LD was formed in accordance with the Landscaping and Lighting Act of 1972 (Streets and Highways Code Sections 22500 through 22679), and

WHEREAS, the Crestview LD is comprised of approximately 44.64 acres, includes 53 residential lots, and is known as the “Alethya Collins 44.64” acres, and

WHEREAS, Section 22622 of the Streets and Highways Code requires the legislative body (the City Council) to adopt a resolution which shall generally describe any proposed new improvements or any substantial changes in existing improvements and direct staff to prepare and to file a report accordingly,

WHEREAS, the Engineer has prepared and filed said annual report with the City Clerk, and

WHEREAS the City Council hereby approves the Engineer’s Report, included as Attachment A, and

WHEREAS, California Streets and Highways Code Section 22623 requires the legislative body to adopt a resolution of intention which shall include the following:

- a. Declaration of intention of the legislative body (the City Council) to levy and collect assessments within the Crestview LD for the fiscal year stated in the annual report.
- b. General description of the existing improvements and proposed improvements and any substantial changes proposed to be made in the existing improvements.
- c. Reference to the assessment district by its distinctive designation and indication of the general location of the Crestview LD.
- d. Reference to said annual report, on file with the City Clerk, for a full and detailed description of the improvements, the boundaries of the Crestview LD and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the Crestview LD.
- e. Notice of the time, as fixed by the California Streets and Highways Code Section 22625, and the place for hearing by the legislative body (the City Council) on the levy of the proposed assessment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Sutter Creek that there are no proposed new improvements or any substantial changes in existing improvements in Crestview LD.

1. The City Council intends to levy and collect assessments within the Crestview LD during the Fiscal Year 2024-2025.
2. There are no proposed new improvements or any substantial changes in the existing improvements in the Crestview LD and the existing improvements to be made in the Crestview LD are generally described as follows:

The City shall provide maintenance, operation and servicing, in perpetuity, of streetlights and any and all improvements required for such maintenance including, but not limited to:

- Payment to local utility company for monthly power costs of energizing street lights in the District.
  - Payment for maintenance of street lights in the District that the City owns.
  - Administrative costs.
3. Said Annual Report filed with the City Clerk and approved by the Council by motion does provide a full and detailed description of the improvements, the boundaries of the Crestview LD and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the Crestview LD.
  4. On Monday, the 5<sup>th</sup> day of August 2024, at the hour of 6:00 p.m., the City Council will conduct a public hearing on the questions of the levy of the proposed annual assessment. The hearing will be held at the meeting place of the City Council located at 33 Church Street at the Community Center Sutter Creek, California.
  5. The City Clerk is authorized and directed to give the notice of hearing required by the Landscape and Lighting Act of 1972.
  6. The levy and collection of assessments as set forth in this resolution are exempt from the procedural and substantive requirements of Proposition 218 pursuant to Article XIII, Section 5(a) of the California Constitution.

The foregoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Sutter Creek on the 5<sup>th</sup> day of August, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Claire Gunselman, Mayor

---

Karen Darrow, City Clerk