

RESOLUTION NO. 2019-55

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMARILLO
PRELIMINARILY APPROVING THE ENGINEER'S REPORT; DECLARING ITS
INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS FOR
FISCAL YEAR BEGINNING JULY 1, 2019, AND ENDING JUNE 30, 2020, WITHIN
CAMARILLO LANDSCAPE MAINTENANCE DISTRICT ZONES 1, 2, 3, 4, 5, 6, 7, 8,
9, AND 10; AND FIXING TIME AND PLACE FOR A PUBLIC HEARING ON THE
LEVY OF THE PROPOSED ASSESSMENTS**

The City Council of the City of Camarillo resolves as follows:

SECTION 1. The City Council of the City of Camarillo finds as follows:

A. The improvements maintained within the District may include the installation, construction or maintenance of any "improvements" permitted under the Landscaping and Lighting Act of 1972 (Act), specifically Streets and Highway Code section 22525, which includes, but is not limited to, lighting facilities, traffic signals, landscaping, and appurtenant facilities.

B. Under Section 5 of Article XIID of the California Constitution (Proposition 218), an assessment, existing on November 5, 1996, imposed exclusively to finance capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control is exempt from the procedures and approval process set forth in Section 4 of Article XIID of the California Constitution provided that there is no increase in the assessment.

C. Under Government Code section 53750(h)(1), a previously approved assessment is not deemed to be increased if the rate is not increased beyond the level previously approved by the agency.

D. The proposed assessments relating to Zones 2, 3, 4, 5, 6, 7, and 8 were existing on the effective date of Article XIID of the California Constitution and were previously imposed and are proposed for Fiscal Year 2019/20 to be imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control at a rate that does not exceed the maximum rate previously approved.

E. Under Section 5 of Article XIID of the California Constitution, an assessment, existing on November 5, 1996, imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment was initially imposed is exempt from the procedures and approval process set forth in Section 4 of Article XIID of the California Constitution provided that there is no increase in the assessment.

F. The proposed assessments relating to Zones 2, 3, 4, 5, 6, 7, and 8 were existing on the effective date of Article XIID of the California Constitution and were imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment was initially imposed and are proposed at a rate that does not exceed the maximum rate previously approved.

G. Zones 9 and 10 were formed and the assessment previously imposed therein was approved pursuant to Article XIID of the California Constitution.

H. The assessment rate proposed for Zones 9 and 10 does not exceed the maximum rate previously approved and therefore is also exempt from the procedures and approval process set forth in Section 4 of Article XIID of the California Constitution.

I. As directed by the City Council, the Willdan Financial Services has filed with the City Clerk the Engineer's Report required by Article 4 of the Act entitled "Engineer's Report for Camarillo Landscape Maintenance District for FY 2019/20 Assessment Levy in City of Camarillo, County of Ventura, State of California" (Engineer's Report).

J. All interested persons are referred to the Engineer's Report for a full and detailed description of the improvements, the proposed assessments upon assessable lots and parcels of land within the District, and the Zones.

K. The Engineer's Report has been presented to the City Council and the City Council has duly considered the Report.

SECTION 2. Intention to Levy and Collect Assessments. The public interest and convenience require, and it is the intention of the City Council to levy and collect, assessments within the District and the Zones for the FY 2019/20.

SECTION 3. Description of Improvements. The District will continue to provide for the installation, construction or maintenance of any authorized improvements under the Act, including, but not limited to, lighting facilities, traffic signals, landscaping and appurtenant facilities. Reference is made to the Engineer's Report on file in the office of the City Clerk for a more detailed description of the work to be done, the amount of the proposed assessments, and the method of assessment. Except as indicated in the Engineer's Report, no new improvements or substantial changes in existing improvements are contemplated within the District or the Zones.

SECTION 4. Description of Landscape Maintenance District. The improvements and the maintenance of the improvements, in the opinion of the City Council, are of special benefit to, and the City Council hereby makes the expense of such improvements and maintenance chargeable upon, all property within the District, and certain Zones, which Zones are assessed to pay the costs and expenses of the respective Zone, and which Zones are described as follows:

All that certain territory within the Camarillo Landscape Maintenance District, Zone 1, in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 2, in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 3, in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 4, in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 5 (Tract 4212) in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 6 (Tract 4227) in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 7 (Tract 4995) in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 8 (Tract 4645) in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 9 (Tract 4981 & 4936) in the City of Camarillo.

All that certain territory within the Camarillo Landscape Maintenance District, Zone 10 (Tract 5022) in the City of Camarillo.

SECTION 5. Preliminary Approval of Engineer's Report. The City Council finds that each and every part of the Engineer's Report is sufficient and the City Council preliminarily approves the Engineer's Report as submitted or as amended, if at all, by the City Council.

SECTION 6. Proposed Assessments. The proposed assessments for FY 2019/20 are within the allowable escalator formula established for the District and applicable Zones as set forth in the Engineer's Report, which indicates the amount of the proposed assessment, the District boundary, assessment zones, detailed description of improvements, and the method of assessment. The Engineer's Report is on file in the office of the City Clerk, and reference to the Engineer's Report is hereby made for all particulars.

SECTION 7. Notice of Public Hearing on Proposed Assessments. NOTICE IS HEREBY GIVEN THAT ON THE 12TH DAY OF JUNE, 2019, AT THE HOUR OF 7:30 P.M., IN THE COUNCIL CHAMBERS OF THE CITY COUNCIL IN CITY HALL, AT 601 CARMEN DRIVE, CAMARILLO, CALIFORNIA, ANY PERSON HAVING AN OBJECTION TO THE PROPOSED WORK OR LEVY OF ASSESSMENT, MAY APPEAR AND SHOW CAUSE WHY SUCH WORK SHOULD NOT BE DONE OR CARRIED OUT, OR WHY SUCH ASSESSMENTS SHOULD NOT BE LEVIED IN ACCORDANCE WITH THIS RESOLUTION OF INTENTION. THE CITY COUNCIL WILL CONSIDER ALL ORAL AND WRITTEN PROTESTS. WRITTEN

PROTESTS MUST BE FILED WITH THE CITY CLERK PRIOR TO THE CONCLUSION OF THE PUBLIC HEARING AND MUST STATE ALL GROUNDS OF OBJECTION AND A DESCRIPTION SUFFICIENT TO IDENTIFY THE PROPERTY OWNED BY SUCH PERSON. The City Clerk is directed to give notice of such public hearing in accordance with Section 22626 of the Streets and Highways Code.

SECTION 8. Certification. The City Clerk is directed to certify the adoption of this resolution. PASSED AND ADOPTED April 24, 2019.

I, Jeffrie Madland, City Clerk of the City of Camarillo, certify Resolution No. 2019-55 was adopted by the City Council of the City of Camarillo at a regular meeting held April 24, 2019, by the following vote:

AYES: Councilmembers: Craven, Mulchay, Santangelo, Trembley, Mayor Kildee

NOES: Councilmembers: None

ABSENT: Councilmembers: None