

# Resolution No. 2023-XXX N.C.S. of the City of Petaluma, California

## **PROVIDING PRELIMINARY APPROVAL OF ENGINEER'S REPORT FOR LANDSCAPE ASSESSMENT DISTRICTS FISCAL YEAR 23/24**

**WHEREAS**, the City Council of Petaluma adopted its Resolution Describing Improvements and Directing Preparation of Engineer's Reports for Fiscal Year 23/24 Annual Assessments for Landscape Assessment Districts (LADs), pursuant to the Landscaping and Lighting Act of 1972, California Streets and Highway Code section 22500 *et seq.*; and

**WHEREAS**, said Resolution referred the proposed improvements to the Engineer of Work and directed said Engineer of Work to prepare and file with the City Clerk a written report on the LADs, all as therein more particularly described ("Engineer's Report"); and

**WHEREAS**, the Engineer of Work has prepared and filed the Engineer's Report with the City Clerk, and the Engineer's Report has been presented to the City Council for consideration; and

**WHEREAS**, the LADs are listed in Exhibits A and B of the Engineer's Report; and

**WHEREAS**, the City Council has duly considered the Engineer's Report and every part thereof and finds that said Engineer's Report is sufficient and does not require modification.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Petaluma hereby finds:

1. The plans and specifications for the existing improvements within the assessment districts listed in Exhibit B of the Engineer's Report, or within any zone thereof, contained in said report are hereby preliminarily approved.
2. The Engineer's estimate of the itemized and total costs and expenses of said improvements, if any, maintenance, and the incidental expenses in connection therewith, contained in said report are hereby preliminarily approved.
3. The diagram contained in the Engineer's Report shows the exterior boundaries of the assessment districts referred to and described, the boundaries of any zones therein, and the lines and dimensions of each lot or parcel of land within said districts as such lot or parcel of land is shown on the County Assessor's maps for the fiscal year to which the report applies, each of which lot or parcel of land has been given a separate number upon said diagram, is hereby preliminarily approved.
4. Each proposed assessment of the total amount of the estimated costs and expenses of the proposed improvements upon the several parcels of land in each district is in proportion to the estimated benefits to be received by such parcels, respectively, from said improvements, including the maintenance or servicing, or both thereof, and of the expenses incidental thereto, as contained in the Engineer's Report and is hereby preliminarily approved.

5. Said report will stand as the Engineer's Report for all the individual districts as listed in Exhibits A and B of the Engineer's Report, for the purpose of all subsequent proceedings to be had pursuant to said Resolution.
6. That the environmental analysis for compliance with the California Environmental Quality Act (CEQA) was completed with the formation of each Landscape Assessment District. Landscaping and lighting district assessments are exempt from the California Environmental Quality Act (CEQA) under Guidelines Section 15378(b)(4) because government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment is not considered a project. Any work performed with the assessed funds is categorically exempt under California Environmental Quality Act ("CEQA") Guidelines, Sections 15301 (Existing Facilities) and 15304 (Minor Alterations to Land) as any improvements will occur within areas previously disturbed, and there is negligible or no expansion of use beyond what currently exists and there are no cumulative impacts, unusual circumstances or other factors that would make the exemption inapplicable pursuant to CEQA Guidelines section 15300.2.

Under the power and authority conferred upon this Council by the Charter of said City.

**REFERENCE:**

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 5<sup>th</sup> day of June 2023, by the following vote:

Approved as to  
form:

\_\_\_\_\_  
City Attorney

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor