

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

## **INTENTION TO ORDER THE LEVY AND COLLECTION OF ASSESSMENTS PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 FOR LANDSCAPE ASSESSMENT DISTRICTS, FISCAL YEAR 23/24 AND SETTING THE DATE OF THE PUBLIC HEARING**

**WHEREAS**, on June 5, 2023, the City Council of Petaluma adopted a Resolution Describing Improvements and Directing Preparation of Engineer's Report for Fiscal Year 23/24 Annual Assessments for Landscape Assessment Districts, pursuant to the Landscaping and Lighting Act of 1972, California Streets and Highways Code sections 22500 *et seq.*; and

**WHEREAS**, pursuant to said Resolution, the designated Engineer of Work has prepared and filed with the City Clerk the written Engineer's Report for the districts listed in Exhibit A and B of the Engineer's Report, called for under said Act and by said Resolution; and

**WHEREAS**, the Engineer's Report has been submitted to and preliminarily approved by the City Council in accordance with said Act.

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

1. The public interest and convenience require, and it is the intention of the City Council to order the levy and collection of assessments for fiscal year 23/24, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Streets and Highways Code section 22500 *et seq.*, for the construction or installation of the improvements, if any, including maintenance, more particularly described for each district in Exhibit B of the Engineer's Report: Descriptions and Maps.
2. The cost and expenses of said improvements, if any, for each assessment district, including maintenance, are to be made chargeable upon the specified assessment district, the exterior boundaries of which district are the composite and consolidated area as more particularly described on a map thereof on file in the office of the City Clerk, to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in each of the districts and of any zone thereof and the general location of said districts.
3. The Engineer's Report approved by this Council and on file with the City Clerk is hereby referred to for a full and detailed description of the improvements, the boundaries of the assessment district and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the districts.
4. Notice is hereby given that Monday, July 17, 2023, at the hour of 6:30 PM or shortly thereafter, in the regular meeting place of said Council, is hereby appointed and fixed as the time for a hearing by this Council on the question of the levy and collection of the proposed assessments for each district for the construction or installation of said improvements, if any, including the maintenance, at which time the City Council will:
  - a. consider all oral or written protests made or filed by any interested person at or before the conclusion of the public hearing relating to or opposing said improvements, the boundaries of each assessment district and any zone therein, the proposed diagram or the proposed assessments, the Engineer's estimate of the cost thereof; and
  - b. consider and finally act upon the Engineer's Report for the districts.

5. The City Clerk is hereby directed to give notice of said hearing by causing a copy of this resolution to be published once in a newspaper of general circulation circulated in said City, and by conspicuously posting a copy thereof upon the official bulletin board customarily used by the Council for the posting of notices, said posting and publication to be had and completed at least ten (10) days prior to the date of hearing specified herein, in accordance with Streets and Highway Code Section 22626(a).
6. The Director of Public Works and Utilities and/or the Director of Finance of said City are hereby designated as the persons to answer inquiries regarding any protest proceedings to be had herein and may be contacted during regular office hours at the Petaluma City Hall, 11 English Street, Petaluma, CA 94952, or by calling 707-778-4303.
7. 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 are 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.

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**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