

RESOLUTION NO. 2019-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR THE CITYWIDE LANDSCAPE AND MAINTENANCE DISTRICT, DECLARING THE INTENTION OF THE CITY COUNCIL TO LEVY AN ASSESSMENT FOR FISCAL YEAR 2019-20 IN CONNECTION WITH SUCH DISTRICT AND SETTING A PUBLIC HEARING FOR JUNE 18, 2019 REGARDING THAT ASSESSMENT

WHEREAS, the City's Citywide Lighting and Maintenance District (the "District") has been established pursuant to the Landscaping and Lighting Act of 1972 (Streets & Highways Code Section 22500 *et seq.*) (the "Act") to fund the maintenance and servicing of certain public street lighting and street trees in the City; and

WHEREAS, in connection with the District, the City annually levies an assessment against real property; and

WHEREAS, by its Resolution No. 2019-28, adopted May 7th, 2019, the City Council directed Willdan Financial, as assessment engineer (the "Engineer"), to prepare and file a report regarding the District; and

WHEREAS, the Engineer has filed said report, entitled "City of West Covina, Citywide Lighting and Maintenance District, Fiscal Year 2019-20 Engineer's Report" (the "Report") and the Report is on file and available for public inspection in the Office of the City Clerk and is incorporated herein by reference; and

WHEREAS, the City Council desires to continue with proceedings to levy the assessment for in connection with the District for Fiscal Year 2019-20 as described in the Report;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES RESOLVES AS FOLLOWS:

SECTION 1. The Report is hereby preliminarily approved as filed.

SECTION 2. The City Council declares it intention to levy and collect assessments within the District for Fiscal Year 2019-20 and notes that:

- (i) The boundaries of the District are the same as the boundaries of the City.
- (ii) The existing and proposed improvements are generally described as street lights, street trees, and appurtenant facilities throughout the City. No substantial changes are proposed to the nature of the improvements

- (iii) The distinctive name of the District is the “Citywide Landscape and Maintenance District.”
- (iv) The rate of the assessment is proposed to adjust upwards by 2% from the rate levied in Fiscal Year 2018-19. Such adjustment is made according to a schedule of adjustments that was approved by property-owners in a mail ballot proceeding pursuant to Article XIII D of the California Constitution and does not, therefore, constitute an “increase” requiring additional mail-ballot proceedings.

SECTION 3. Reference is made to the Report for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District.

SECTION 4. A Public Hearing is set for June 18, 2019, at 7:00 p.m. in the City Council Chambers located at 1444 West Garvey Avenue South in the City of West Covina, to take the testimony on the issue of whether or not the assessments should be approved.

SECTION 5. The City Clerk is hereby authorized, designated and directed to give notice of said Public Hearing in time, form, and manner as required by law.

SECTION 6. The San Gabriel Valley Tribune, a daily newspaper of general circulation, published and circulated within the said City of West Covina, California, is hereby designated as the newspaper in which such notice shall be published.


SECTION 7. The City Council finds that the levy and collection of these assessments is statutorily exempt from the California Environmental Quality Act under § 15273 of the Guidelines, as none of the proceeds will be used for capital expenses, but will be used instead for operation and maintenance.

SECTION 8. The City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED on May 7, 2019



Lloyd Johnson
Mayor

APPROVED AS FORM



Scott E. Porter
City Attorney

ATTEST



Carrie Gallagher, CMC
Assistant City Clerk

I, CARRIE GALLAGHER, Assistant City Clerk of the City of West Covina, California, do hereby certify that the foregoing resolution was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof held on the 7th day of May 2019, by the following vote of the City Council:

AYES: Castellanos, Lopez-Viado, Shewmaker, Wu, Johnson
NOES: None
ABSENT: None
ABSTAIN: None



Carrie Gallagher, CMC
Assistant City Clerk