

CITY OF LEMON GROVE

NOTICE OF CITY COUNCIL PUBLIC HEARING AND FULL TEXT OF RESOLUTION

NUMBER 2024-4028, which was passed, adopted and approved at the regular City Council meeting of May 21, 2024.

RESOLUTION NO. 2024-4028 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, COUNTY OF SAN DIEGO, CALIFORNIA DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2024/2025 IN WILDFLOWER LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 97-1; DECLARING THE WORK TO BE OF MORE SPECIAL THAN GENERAL PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREAS WITHIN WILDFLOWER LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 97-1 ("DISTRICT") TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID DISTRICT AS WILDFLOWER LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. 97-1, DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR THE PUBLIC HEARING."

WHEREAS, it is the intention of the City Council of the City of Lemon Grove, California, to order the following work be done:

1. Maintenance and servicing of facilities and landscaping as authorized by Section 22525 of the Streets and Highways Code.
2. Any and all work and materials appurtenant thereto or which are necessary or convenient for the maintenance and servicing thereof; and

WHEREAS, the foregoing described work is to be located along the east side of Gold Lake Road, between Mt. Vernon Avenue and Green Lake Court; on the west side of Gold Lake Road between lots 12 and 28; and along the trail from the intersection of Gold Lake Road and Green Lake Court north to San Miguel Avenue, a distance of approximately 340 feet; and

WHEREAS, all assessable parcels identified as being within the District, share in both the cost and the benefits of the improvements. The costs associated with the improvements are equitably spread among all benefiting parcels within the District. Only parcels that receive direct special benefit from the improvements are assessed, and each parcel is assessed in proportion to the estimated special benefit received; and

WHEREAS, the landscape improvements provided in the District may include but are not limited to: ground cover, shrubs, trees and plants; irrigation and drainage systems; and associated appurtenant facilities. The improvements include: all necessary service; operation; administration; and maintenance required to keep the above-mentioned improvements in a healthy, vigorous, and satisfactory condition.

WHEREAS, the City Council of said City has, by previous Resolution, preliminarily approved the Engineer's Report ("Report") of the Engineer of Work, which Report indicates the amount of the proposed assessment, the District boundary, including the annexation territories, detailed description of improvements, and the method of assessment. The Report titled "City of Lemon Grove, Wildflower Landscape Maintenance Assessment District No. 97-1, Engineer's Report Fiscal Year 2024/2025" is on file in the Office of the City Clerk of said City and was prepared for Fiscal Year 2024/2025 in accordance with the Act. Reference to said report is hereby made for all particulars for the amount and extent of the assessments and for the extent of the work; and

WHEREAS, in order to maintain the facilities at a standard acceptable to the City, the assessments within the District will need to be levied for Fiscal Year 2024/2025; and

WHEREAS, Proposition 218, the Right to Vote On Taxes Act does hereby require that if the assessment rate is to be increased above the maximum cap of \$335.00, a notice of the proposed assessment along with a ballot shall be mailed to all owners of identified parcels within the District, and that the agency shall conduct a public hearing not less than 45 days after the mailing of said notice; and

WHEREAS, the maximum assessments for Fiscal Year 2024/2025 are not proposed to be increased above the maximum cap of \$335.00; and

WHEREAS, notices and assessment ballots are not required if assessments are not increased above the approved maximum assessment amount of \$335.00; and

WHEREAS, the assessment shall be collected at the time and in the same manner as County taxes are collected. The Engineer of Work shall file a Report annually with the City Council of said City and said Council will annually conduct a hearing upon said Report, at which time assessments for the next fiscal year will be determined; and

WHEREAS, all the work herein proposed shall be done and carried through pursuant to the Act, being Division 15 of the Streets and Highways Code of the State of California; and

WHEREAS, published notice shall be made pursuant to Section 6061 of the Government Code. The publication of notice of hearing shall be completed at least 10 days prior to the date of hearing.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Lemon Grove that:

SECTION 1: The foregoing recitals are true and correct and incorporated herein by this reference.

SECTION 2: Notice is hereby given that on the **4th day of June 2024** at the hour of 6:00 p.m., or as soon thereafter as possible, in the Lemon Grove Community Center 3146 School Lane, in the said City, any and all persons having any objections to the work, annexations, or the extent of the District, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests; and

SECTION 3: The City Clerk shall certify the adoption of this Resolution.

APPROVED, PASSED AND ADOPTED this 21st of May 2024 by the following vote:

Ayes: Gastil, Mendoza, Snow, Vasquez

Noes: LeBaron

Absent: None

/s/: Joel Pablo, City Clerk

If you have special needs requiring assistance at the meeting, please call the City Clerk's Office at (619) 825-2841 at least 24 hours prior to the meeting so that accommodations can be arranged.

Published in the San Diego Union Tribune, Saturday, May 25, 2024. Order No.