

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF THOUSAND OAKS ORDERING THE
LEVY AND COLLECTION OF ASSESSMENTS
FOR THOUSAND OAKS LANDSCAPE AND
LIGHTING ASSESSMENT DISTRICT NO. 79-2
FOR FISCAL YEAR 2024-25

WHEREAS, the City of Thousand Oaks has previously formed the Thousand Oaks Landscape and Lighting Assessment District No. 79-2 (hereinafter referred to as the "District"), and levied annual special benefit assessments pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the California Streets and Highways Code, beginning with Section 22500 (hereinafter referred to as the "Act"), and in accordance with the provisions of California Constitution Article XIID; and

WHEREAS, the City Council has, by previous Resolution approved the Engineer's Annual Levy Report (hereafter referred to as the "Engineer's Report") for the District for Fiscal Year 2024-25, and said Engineer's Report sufficiently describes the improvements and the assessments related thereto commencing with Fiscal Year 2024-25; and

WHEREAS, the levy and collection of assessments so described in the Engineer's Report shall be collected by the County of Ventura Auditor-Controller for the City of Thousand Oaks pursuant to the Agreement for Billing of Direct Assessments as approved by City Council on June 4, 2024; and

WHEREAS, the City Council and City Attorney have determined that the assessments comply with applicable provisions of the California State Constitution Section XIID; and

WHEREAS, the City Council desires to levy and collect assessments against parcels of land within the District for the Fiscal Year commencing July 1, 2024, and ending June 30, 2025, to pay the costs of maintenance, operation, and services of the improvements and facilities within the District related thereto located within public places in the City.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Thousand Oaks as follows:

Section 1 The preceding recitals are true and correct.

Section 2 Based on public testimony, the facts presented, and its review of the Engineer's Report and any amendments, as applicable, a copy of which has been presented to the City Council and has been filed with the City Clerk, the City Council hereby finds and determines that:

- a. The land within the District receives special benefit from the operation, maintenance and servicing of landscape and lighting improvements and appurtenances, located in public places within the boundaries of the District; and
- b. The net amount to be assessed upon the lands within the District is apportioned by a formula and method which fairly distributes the net amount among the eligible parcels in proportion to the estimated special benefits to be received by each parcel from the improvements and services and said apportionment of fees was approved by the property owners as defined in the Engineer's Report.

Section 3 The Engineer's Report and assessments as presented to the City Council and on file in the Office of the City Clerk are hereby confirmed as filed or as amended by City Council action, and so noted by the minutes of this meeting.

Section 4 The maintenance, operation, and servicing of the improvements and appurtenant facilities shall be performed pursuant to the Act. The City Council hereby orders the proposed improvements to be made, which improvements are briefly described as follows: the maintenance and operation of and the furnishing of services, materials, and improvements for public landscaping and lighting facilities, including, but not limited to plants, shrubs, grass, trees and other ornamental vegetation, irrigation systems, drainage systems, fencing, sidewalks, trails and other ornamental structures and facilities, street lights, pedestrian lights, traffic signals and safety lights, and other appurtenant facilities within the public right-of-way.

Section 5 The County Auditor of the County of Ventura shall enter on the County Assessment Roll opposite each eligible parcel of land the amount of levy so apportioned by the formula and method outlined in the Engineer's Report, and such levies shall be collected at the same time and in the same manner as the County taxes are collected, pursuant to Chapter 4, Article 2, Section 22646 of the Act. After collection by the County, the net amount of the levy shall be paid to the City Treasurer.

Section 6 The City Treasurer shall deposit the money representing assessments collected by the County for the District to the credit of a fund designated as the Improvement Fund for the Thousand Oaks Landscape and Lighting Assessment District No. 79-2; and such money shall be expended for the maintenance, operation, improvement, and servicing of the landscaping, lighting and appurtenant facilities as described in Section 5 including the administrative and incidental expenses.

Section 7 The City Clerk is hereby directed to enter this Resolution on the minutes of the City Council meeting which shall constitute the official declaration of levy for Thousand Oaks Landscape and Lighting Assessment District No. 79-2 as outlined in the Engineer's Report.

Section 8 The adoption of this Resolution constitutes the District levy for the Fiscal Year commencing July 1, 2024, and ending June 30, 2025.

Section 9 The City Clerk, or their designee, is hereby authorized and directed to file the levy with the County Auditor upon adoption of this Resolution, pursuant to Chapter 4, Article 1, Section 22641 of the Act.

Section 10 This Resolution shall become effective immediately upon its adoption.

Section 11 The City Clerk shall certify the adoption of this Resolution.

PASSED AND ADOPTED 4th day of June, 2024, by the following vote:

Ayes:

Noes:

Absent:

Al Adam, Mayor
City of Thousand Oaks, California

ATTEST/CERTIFY:

Laura B. Maguire, City Clerk

Date Attested: _____

APPROVED AS TO FORM:
Office of the City Attorney

Tracy Friedl, Assistant City Attorney

APPROVED AS TO ADMINISTRATION:

Andrew P. Powers, City Manager

The presence of electronic signature certifies that the foregoing is a true and correct copy as approved by the City of Thousand Oaks City Council on the date cited above.