

**RESOLUTION NO. 2023-1877**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, APPROVING A TRANSFER OF TAX FUNDS FROM LANDSCAPE MANAGEMENT DISTRICT NO. 22 (AD VALOREM) TO ZONE 7 OF LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 22 (ASSESSMENT).**

**WHEREAS**, Landscape Management District No. 22 (LMD 22) was established in 1968 under the Improvement Act of 1911, which general purpose is for the construction, improvement, and maintenance of infrastructure for the public interest; and

**WHEREAS**, LMD 22 is managed by the City of Calabasas for the benefit of property owners living within the LMD 22 defined boundary; and

**WHEREAS**, LMD 22 was formed at approximately the same time Calabasas Lake and CPHA Park were constructed for the primary purpose of maintaining these facilities, and qualifying facilities and improvements in surrounding areas within the LMD 22 district; and

**WHEREAS**, in 2010 the City of Calabasas entered into an agreement with the Calabasas Park Homeowners Association (CPHA) whereby the City agreed to maintain the lake and park using LMD 22 funds; and

**WHEREAS**, Calabasas Lake and CPHA park are open to all property owners within the LMD 22 district; and

**WHEREAS**, from 2016 to 2023, the City contracted with a company to conduct bird patrol to reasonably limit the geese population in and around Calabasas Lake; and

**WHEREAS**, all payments for bird control came from Zone 7 of Landscape and Lighting District No. 22; and

**WHEREAS**, consistent with The Improvement Act of 1911, and specifically the 2010 Agreement between the City and CPHA, LMD 22 funds could have been used for bird control; and

**WHEREAS**, the board of directors of Zone 7 of LLAD 22 have requested in writing reimbursement to Zone 7 for the cost of the bird control; and

**WHEREAS**, the board of directors of Zone 7 have further identified projects for the replaced funds that will add to the beauty of the Calabasas Park area.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Calabasas, California, as follows:

1. Bird control in and around Calabasas Lake within the LMD 22 district is eligible for payment from LMD 22 funds.
2. The amount of \$381,862.00 as reimbursement for bird control from 2016 to 2022 shall be transferred from LMD 22 (City Fund 21) to Zone 7 (City Fund 22-322) of LLAD 22.
3. The Landscape Management Division shall be available to meet with designated representatives for Zone 7 to reasonably amend the Zone 7 budget for FY23/24 for the purpose of introducing special projects within Zone 7 that are enabled as a result of transferred funds and otherwise eligible for expenditures out of LLAD 22, Zone 7 funding under applicable law.

**PASSED, APPROVED AND ADOPTED** this 25<sup>th</sup> day of October 2023.

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Alicia Weintraub, Mayor pro Tem

ATTEST:

APPROVED AS TO FORM:

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Maricela Hernandez, City Clerk  
*Master Municipal Clerk*  
*California Professional Municipal Clerk*

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Matthew T. Summers  
Colantuono, Highsmith & Whatley, PC  
City Attorney