

**ITEM 2 ATTACHMENT 3
RESOLUTION NO. 2024-1892**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALABASAS, CALIFORNIA, DECLARING ITS INTENT TO LEVY AND COLLECT ASSESSMENTS WITHIN LANDSCAPE MAINTENANCE DISTRICT NO. 22 AND LANDSCAPE LIGHTING ACT DISTRICT NOS. 22, 24, 27 AND 32 AND SETTING A TIME AND PLACE FOR PUBLIC HEARING.

WHEREAS, by prior resolution, the City Council initiated proceedings to levy and collect assessments for Fiscal Year 2024-2025 in connection with Landscape Lighting Act District No. 22, Landscape Lighting Act District No. 24, Landscape Lighting Act District No. 27, and Landscape Lighting Act District No. 32 (collectively the "Districts" and each a "District") pursuant to the Landscaping and Lighting Act of 1972 (California Streets & Highways Code Section 22500 *et seq.*) (the "Assessment Law"), as well as in connection with Landscape Maintenance District No. 22; and

WHEREAS, by prior resolution, the City Council approved the Report of Willdan Financial Services, as Assessment Engineer, entitled "Preliminary Engineer's Report for Landscape Lighting Act Districts No. 22, 24, 27 & 32, City of Calabasas" and dated April 24th, 2024, (the "Report"), which Report is on file in the office of the City Clerk and available for public inspection; and

WHEREAS, the City Council desires to move forward with proceedings to levy the Fiscal Year 2024-25 assessments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CALABASAS DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are all true and correct.

Section 2. The City Council declares its intention to levy and collect an assessment for Fiscal Year 2024-25 in connection with the Districts.

Section 3. The proposed improvements to be maintained in connection with the Districts are generally described as landscape maintenance, tree trimming and brush clearance. No substantial changes are proposed in the nature of improvements funded through the Districts, though modifications to the precise plan of services are set forth in the Report and documents incorporated therein.

Section 4. The distinctive designations of the Districts are (i) "Landscaping Lighting Act District No. 22", which is generally located in the Calabasas Park Area,

(ii) "Landscaping Lighting Act District No. 24", which is generally located in the Malibu Lost Hills and Saratogas Developments, (iii) "Landscaping Lighting Act District No. 27", which is generally located in the Las Virgenes Canyon Area, and (iv) "Landscaping Lighting Act District No. 32", which is generally located in the Malibu Hills Road, Agoura Road, Lost Hills Road Commercial District. The ad valorem district designated "Landscape Maintenance District No. 22" is generally located in the Calabasas Park area.

Section 5. Reference is made to the Report for a full and detailed description of the public facilities to be maintained in connection with the Districts, of the boundaries of the Districts, and of the proposed assessments upon assessable lots and parcels of land within the Districts.

Section 6. The amount of the Fiscal Year 2024-2025 assessment is unchanged from Fiscal Year 2023-24, except for a 3.49% CPI inflation adjustment, as approved in previous years' assessment balloting proceedings for Landscape Lighting Act District Nos 22, 24, and 27 and 32. Therefore, none of the assessments are to be "increased", as that term is used in Article XIID of the California Constitution (Proposition 218), except as stated herein. For the Calabasas Park Estates Zone of Landscaping and Lighting Act District No. 22 and the Las Villas Zone of Landscaping and Lighting Act District No. 22, the City proposes an increase in the amount of the annual assessment, pending a Proposition 218 assessment balloting process. If there is not a majority protest, as determined at the Hearing on June 12, 2024, or such other date as the Hearing may be continued to, under the provisions of Proposition 218 and applicable law, then the City Council may impose an increased assessment for either or both of the Calabasas Park Estates Zone of Landscaping and Lighting Act District No. 22 and the Las Villas Zone of Landscaping and Lighting Act District No. 22. If there is a majority protest, as determined at the Hearing on June 12, 2024, or such other date as the Hearing may be continued to, under the provisions of Proposition 218 and applicable law, then the City Council will impose the Fiscal Year 2024-2025 assessment for either or both of the Calabasas Park Estates Zone of Landscaping and Lighting Act District No. 22 and the Las Villas Zone of Landscaping and Lighting Act District No. 22, as applicable per the results of the assessment balloting proceedings, unchanged from Fiscal Year 2023-24, except for an inflation adjustment, as approved in previous years' assessment balloting proceedings for Landscape Lighting Act District Nos 22

Section 7. The City Council will hold a hearing (the "Hearing") on the Fiscal Year 2024-25 levy of assessments in connection with the Districts and in connection with Landscape Maintenance District No. 22, on June 12th, 2024, at 7:00 p.m., or as soon thereafter as feasible, in the Council Chambers located at Calabasas City Hall, 100 Civic Center Way, Calabasas California. At the Hearing, all interested persons shall be permitted to present written and/or oral testimony regarding the

proposed assessment. Additionally, at the Hearing, or such other date as the Hearing may be continued to, the City Council shall consider all protects against the proposed increased assessments for the Calabasas Park Estates Zone of Landscaping and Lighting Act District No. 22 and the Las Villas Zone of Landscaping and Lighting Act District No. 22 and determine whether a majority protest exists to either or both proposed assessment increases.

Section 8. The City Clerk is ordered to give notice of the Hearing as required by Section 22626(a) of the Assessment Law.

Section 9. The City Council designates Heather Melton, Landscape Districts Maintenance Manager, who may be contacted at (818) 224-1600, as the person whom interested parties may contact for information.

PASSED, APPROVED AND ADOPTED this 24th day of April 2024.

Alicia Weintraub, Mayor

ATTEST:

APPROVED AS TO FORM:

Interim City Clerk

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