

RESOLUTION 2016-203

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN PABLO, CONTRA COSTA COUNTY, CALIFORNIA (1) PRELIMINARILY APPROVING THE ENGINEER'S REPORT, (2) DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE SAN PABLO STREET LIGHTING AND LANDSCAPE ASSESSMENT DISTRICT NO. 1982-1 FOR FISCAL YEAR 2016/17, (3) TRANSFERRING \$357,787 FROM THE GENERAL FUND AND (4) SETTING PUBLIC HEARING FOR JULY 5, 2016

WHEREAS, Resolution No. 2016-164, directing the Assessment District Engineer to prepare and file a report for the levy of annual assessments within San Pablo Street Lighting and Landscape Assessment District No. 1982-1 for Fiscal Year 2016/17, was adopted May 2, 2016;

WHEREAS, the Assessment District Engineer did file a report with the City Clerk;

WHEREAS, the Engineer's Report is consistent with the Fiscal Year 2016/17, Street Lighting and Landscaping Assessment District budget;

WHEREAS, Assessment District No. 1982-1 received approval from approximately 2/3 of the voters voting in the General Election held on November 5, 1996, and the proposed assessments are therefore exempt from the procedures and approval process set forth in Section 4 of Article XIII D of the State Constitution;

WHEREAS, assessments are not proposed to be increased over the amount levied in the previous year;

WHEREAS, during development of the FY 2015-17 Biennial Budget, \$374,000 in utility expenses was moved from the Street Lighting and Landscaping Budget to the citywide Multi-Departmental Budget for utilities for both FY 2015/16 and 2016/17. However, City Council approved moving the FY 2015/16 funding amount back into the District budget on August 3, 2015 by Resolution 2015-137 to ensure that the District had sufficient funding to operate throughout the fiscal year; and

WHEREAS, the action proposed in this report would transfer appropriations of \$357,787 from the General Fund (100-8000-44400) back to the Street Lighting and Landscaping Assessment District budget (205-2110-44400) for the same purpose of ensuring sufficient funding for the entirety of the fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Pablo hereby preliminarily approves the Engineer's Report and declares its intention to levy and collect assessments within the San Pablo Street Lighting and Landscape Assessment District No. 1982-1 for Fiscal Year 2016/17;

BE IT FURTHER RESOLVED, that the existing improvements include: public lighting facilities or landscaping and parks; Maple Hall, the Senior Center and Davis Park recreational buildings and facilities appurtenant thereto; street trees; sidewalks providing access to parks; new pedestrian traffic signal for the Wildcat Creek Trail crossing of 23rd

Street at University Avenue; median island improvements; San Pablo Youth Soccer Field; streetscape and landscaping on 23rd Street, on San Pablo Avenue, on El Portal Drive, and on San Pablo Dam Road; Wanlass Park; Brentz Lane Park; landscape improvements at the new Rumrill Bridge; and the creek restoration sites such as Wildcat Creek at 23rd Street and at Rumrill Boulevard, phase 1 of wayfinding signage and new entry monuments; and San Pablo Creek at Kennedy Plaza and at Road 20; and Wildcat Creek Trail between Davis Park and 23rd Street; daylighting of Wildcat Creek through Davis Park; new pedestrian traffic signal on Market Avenue at 19th Street and San Pablo Community Center at Helms Middle School; maintenance of the new Rumrill Sports Park (former BNSF Site);

BE IT FURTHER RESOLVED, that the following will be included for the first time in the FY 2016/17 budget: lighting enhancements including upgrading exterior lighting for all City facilities, enhancement of lighting on El Portal (West) and retrofitting of City street lights to LED; median island improvements; and street tree maintenance/ trimming;

BE IT FURTHER RESOLVED, the San Pablo Street Lighting and Landscape Assessment District No. 1982-1 is bounded by the incorporated limits of the City of San Pablo;

BE IT FURTHER RESOLVED, the Engineer's Report is available for public review and is on file with the City of San Pablo City Clerk, and the Engineer's Report has a full and detailed description of the improvements, the boundaries of the assessment district and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District;

BE IT FURTHER RESOLVED, that the City Council of the City of San Pablo will hold a Public Hearing on Tuesday, July 5, 2016 at 6:00 p.m. in the City Council Chamber, City of San Pablo, One Alvarado Square, San Pablo, CA. on the question of the levy of the proposed assessments and final approval of the Engineer's Report. Prior to the conclusion of said hearing, any interested person may file a written protest with the City Clerk or, having previously filed a protest, may file a written withdrawal of that protest. A written protest shall state all grounds of objection. A protest by a property owner shall contain a description sufficient to identify the property owned by such owner;

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to publish notice of the public hearing by publishing a copy of this resolution one (1) time at least ten (10) days prior to the public hearing, pursuant to Streets and Highways Code Section 22626(a) and Government Code Section 6061;

BE IT FURTHER RESOLVED, that the total of the approved FY 2016/17 budget for Street Lighting and Landscaping Assessment District-funded units exceeds available Assessment District revenues and will require appropriation of supplemental funding in the amount of \$357,787 from the General Fund as follows, which General Fund subsidy also offsets any potential General Benefit that are not special to the assessed properties that may be received from the District improvements:

Appropriate	Fund Name	Fund	Amount
From:	General Fund Multi-Departmental Budget	100-8000-44400	\$357,787
TO:	Street Lighting & Landscaping	205-2110-44400	\$357,787

BE IT FURTHER RESOLVED, that the City Council of the City of San Pablo hereby finds that the foregoing recitations are true and correct, and are included herein by reference as findings.

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ADOPTED this 20th day of June, 2016, by the following vote:

AYES:	COUNCILMEMBERS:	Chao Rothberg, Morris, Calloway, Valdez and Kinney
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

ATTEST:	APPROVED:
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/s/ Ted J. Denney
Ted J. Denney, City Clerk

/s/ Rich Kinney
Rich Kinney, Mayor