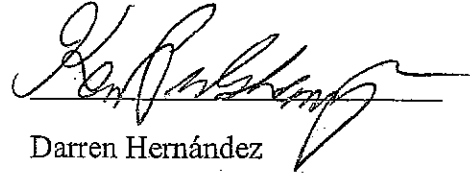


**CITY OF SANTA CLARITA  
AGENDA REPORT**

CONSENT CALENDAR

City Manager Approval:



Item to be presented by: Darren Hernández

DATE: July 14, 2009

SUBJECT: LANDSCAPE MAINTENANCE DISTRICT RESOLUTIONS  
INITIATING PROCEEDINGS, APPROVING AN ENGINEER'S  
REPORT, AND TAKING OTHER RELATED ACTIONS

DEPARTMENT: Administrative Services

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RECOMMENDED ACTION

City Council:

1. Adopt a resolution to initiate proceedings, and make certain designations in connection with proposed annexations into, detachments from, creation of new zones, dissolution of existing zones, and assessment rate adjustments in Landscape Maintenance District Nos. 1, A2, and T1.
2. Adopt a resolution to approve Engineer's Report, and declare its intention to order annexations into, detachments from, creation of new zones, dissolution of existing zones, and assessment rate adjustments in Landscape Maintenance District Nos. 1, A2, and T1, and to levy an assessment thereon, taking certain other actions in connection therewith.

BACKGROUND

The proposals herein would initiate a Proposition 218 assessment ballot process for the Landscape Maintenance District (LMD) to adjust assessment rates, update assessment methodologies, create new zones, consolidate existing zones, and annex parcels into various zones of the LMD.

- The first purpose of this process is to modify the rate and assessment methodology for several existing LMD local zones and simultaneously bring these parcels into Zone 2008-1 (the citywide zone for maintaining the medians on major thoroughfares). This

action will reduce the overall annual LMD assessment rates for 2413 parcels, or 90% of the affected parcels.

- The second purpose is to annex additional parcels that benefit from the medians located on major transportation corridors in the City of Santa Clarita into Zone 2008-1; this would ensure that parcels pay their proportional share of the maintenance of these medians as provided for by Proposition 218.
- The third purpose is to create new zones per the requirements of development conditions and consolidate existing zones that are adjacent to improve efficiency. These actions are further explained and detailed below.
- By adoption of the resolutions as recommended, the Assessment Engineer's Report related to the above actions would be approved, notices and assessment ballots would be mailed to the owners of all affected parcels, and a Public Hearing will be set for September 8, 2009. If approved by a majority of the weighted assessment ballots returned, the recommendations detailed above would become effective with the Fiscal Year 2010-11.

LMD zones within the City of Santa Clarita are governed by the laws of the State of California, including Article 13D of the California Constitution (Proposition 218), the Landscaping and Lighting Act of 1972 (1972 Act), and the Proposition 218 Omnibus Implementation Act. The laws prescribe specific steps to be followed to create or modify special districts, including the requirement for an assessment ballot process involving the owners of the parcels affected by the special district. The recommended actions are in full compliance with the requirements of Proposition 218, the 1972 Act, and the Proposition 218 Omnibus Implementation Act.

Council's adoption of the Resolutions to initiate proceedings and approve the Engineer's Report will commence an assessment ballot process whereby property owners would be presented with the option to modify and/or create several LMD Zones, as follows:

***Detach parcels from Zone 1A, and annex parcels into proposed new Zone 23 (Montecito), modify the maximum assessment rates and rate methodology, and annex into Zone 2008-1 (Major Thoroughfare Medians).***

This Zone was previously established as District No. 1, Zone 1A; however, due to the creation of District 1, Zone 2008-1 (Major Thoroughfare Medians), the Zone is recommended to be annexed into Zone 2008-1. The funds that were previously ear-marked from Zone 1A for maintenance of major thoroughfare medians are recommended to be removed from Zone 1A. In addition, this Zone is recommended to be assessed on an equivalent dwelling unit (EDU) basis, instead of on a per-parcel basis, to ensure the assessment is applied to each parcel proportionally. If approved by property owners, the maximum annual assessment for LMD No. 1, Zone 23 (Montecito), would decrease from \$123.82 per parcel to \$44.90 per EDU, plus \$57.07 per EDU for Zone 2008-1, for a total annual assessment of \$101.97 per EDU.

The improvements include the parkways, side panels, and street trees in rights-of-way and easement within and adjacent to the Zone.

***Detach parcels from Zone 1C, and annex parcels into proposed new Zone 24 (Canyon Gate), modify the maximum assessment rates and rate methodology, and annex into Zone 2008-1 (Major Thoroughfare Medians).***

This Zone was previously established as District No. 1, Zone 1C; however, due to the creation of District 1, Zone 2008-1 (Major Thoroughfare Medians), the Zone is recommended to be annexed into Zone 2008-1. The funds that were previously ear-marked from Zone 1C for maintenance of major thoroughfare medians are recommended to be removed from Zone 1C. In addition, this Zone is recommended to be assessed on an EDU basis, instead of on a per-parcel basis, to ensure the assessment is applied to each parcel proportionally. If approved by property owners, the maximum assessment for LMD No. 1, Zone 24 (Canyon Gate), would decrease from \$712.20 per parcel to \$599.91 per EDU, plus \$57.07 per EDU for Zone 2008-1, for a total annual assessment of \$656.98 per EDU.

The improvements include the parkways, side panels, street trees, local trails, and bus stop amenities in rights-of-way and easement within and adjacent to the Zone.

***Detach parcels from Zone 1F, and annex parcels into proposed new Zone 25 (Valle Di Oro), modify maximum assessment rates and rate methodology, and annex into Zone 2008-1 (Major Thoroughfare Medians).***

This Zone was previously established as District No. 1, Zone 1F; however, due to the creation of District 1, Zone 2008-1 (Major Thoroughfare Medians), the Zone is recommended to be annexed into Zone 2008-1. The funds that were previously ear-marked from Zone 1F for maintenance of major thoroughfare medians are recommended to be removed from Zone 1F. In addition, this Zone is recommended to be assessed on an EDU basis to ensure the assessment is applied to each parcel proportionally. If approved by property owners, the maximum assessment for LMD No. 1, Zone 25 (Valle Di Oro), would change from \$118.65 per EDU to \$145.38 per EDU, plus \$57.07 per EDU for Zone 2008-1, for a total annual assessment of \$202.45 per EDU.

The improvements include the parkways, side panels, street trees, local recreation trails, and bus stop amenities in rights-of-way and easement within and adjacent to the Zone.

***Modify the maximum assessment rates and rate methodology for existing parcels in Zone 6 (Canyon Crest), and annex into Zone 2008-1 (Major Thoroughfare Medians).***

This Zone was established as District No. 1, Zone 6; however, due to the creation of District No.1, Zone 2008-1 (Major Thoroughfare Medians), the Zone is recommended to be annexed into Zone 2008-1. The funds that were previously ear-marked from Zone 6 for maintenance of major thoroughfare medians are recommended to be removed from Zone 6. In addition, this Zone is recommended to be assessed on an EDU basis to ensure the assessment is applied to each parcel proportionally. If approved by property owners, the maximum assessment for LMD No. 1, Zone 6 (Canyon Crest) would decrease from \$594.78 per parcel to \$496.46 per EDU, plus \$57.07 per

EDU for Zone 2008-1, for a total annual assessment of \$553.53 per EDU.

The improvements include the parkways, side panels, street trees, local ornamental structures, irrigated and non irrigated slopes in rights-of-way, and easement within and adjacent to the Zone.

***Decrease the maximum assessment rates and modify the methodology for Zone 8 (Friendly Valley Parkway and Sierra Highway), annex parcels into Zone 8, and annex into Zone 2008-1 (Major Thoroughfare Medians).***

This Zone was previously established; however, due to the creation of District No.1, Zone 2008-1 (Major Thoroughfare Medians) this Zone is recommended to be annexed into Zone 2008-1. The funds that were previously ear-marked for maintenance of major thoroughfare medians are recommended to be removed from Zone 8. In addition, this Zone is recommended to be assessed on an EDU basis to ensure the assessment is applied to each parcel proportionally. If approve by property owners the maximum assessment for LMD No. 1, Zone 8 (Friendly Valley Parkway and Sierra Hwy), would decrease from \$276.06 per parcel to \$196.35 per EDU plus \$57.07 per EDU for Zone 2008-1, for a total annual assessment of \$253.42 per EDU.

The improvements include the parkways, side panels and street trees in rights-of-way and easement within and adjacent to the Zone.

***Detach parcel from LMD No. T1, Zone T7, annex parcels into LMD No. 1, T7 (Valencia Central and North Valley), decrease the maximum assessment rates, and modify the methodology.***

This Zone was previously established as District No.T1, Zone T7. Due to the variety of land uses with the Zone, it is recommended to be assessed on an EDU basis rather than the current per-parcel basis, to ensure the assessment is applied to each parcel proportionally. If approved by the property owners, the maximum assessment in LMD No. 1 Zone T-7 (Valencia Central and North Valley) would decrease from \$252.29 per parcel to \$228.20 per EDU. Zone T7 was previously annexed into Zone 2008-1.

The improvements include the parkways, side panels, and street trees in rights-of-way and easement within and adjacent to the Zone.

***Detach parcels from Zones 2A, 2B, 2C, 2D, and 2G, and annex parcels into existing Zone 4 (Via Princessa/Sierra Highway), and modify the assessment methodology and maximum assessment rate for Zone 4.***

LMD No. 1, Zones 2A, 2B, 2C, 2D, 2G, and 4 encompass the commercial area at the intersection of Via Princessa and Sierra Highway. The zones employ various rates and assessment methodologies. The recommended action would consolidate the zones into a single zone with a uniform rate and assessment methodology; this will ensure the assessment is applied to each parcel proportionally. If approved, the annual assessment rate for each parcel would be established at \$187.89 per EDU. Zone 4 has previously been annexed into Zone 2008-1.

The improvements include the local street medians, parkways, side panels, street trees, local ornamental structures, decorative monuments, and bus stop amenities in rights-of-way and easements within and adjacent to the Zone.

***Create Zone 22 (Henry Mayo Newhall Memorial Hospital)***

This proposed new Zone 22 will be established as a requirement of the Final Conditions of Approval associated with Henry Mayo Newhall Memorial Hospital's (HMNMH) expansion. The Zone's purpose is to maintain the landscaped buffer area between the hospital and adjacent residential neighborhoods and the parkway fronting the hospital property on McBean Parkway. The improvements include landscape maintenance of easements on existing slopes, parkways, street trees, ornamental structures, and bus stop amenities in public rights-of-ways and easements within and adjacent to Zone 22. If approved by the property owners, the annual maximum assessment rate for Zone 22 would be \$243.59 per EDU.

***Detach parcels from Zone 1, Annexation 1D, and annex parcels into proposed new Zone 21 (Golden Valley Ranch-Residential), modify the maximum assessment rates and rate methodology, and annex existing parcels into Zone 2008-1 (Major Thoroughfare Medians).***

District 1, Zone 1 – Annexation 1D was created in 2004 for the maintenance of local medians and parkways in the Golden Valley Ranch residential subdivision. As originally approved, a total of 200,833 square feet of landscape area was identified for maintenance by the City's LMD, with over five million square feet of landscape identified to be maintained by the future homeowner's association.

Subsequently, since 2004, changes in water management practices and fuel modification requirements of the Los Angeles County Fire Department have necessitated the need to re-evaluate landscape conditions related to the major slopes adjacent to this residential project. City staff worked with the developer to create a modified "re-vegetation" plan that will provide for a high level of landscaping while conforming to current water management practices and fuel modification requirements.

This re-vegetation plan incorporates landscaping, ample trees, and native plant material, while significantly reducing the amount of irrigation necessary to maintain these landscape improvements. The re-vegetation plan will shift long-term maintenance responsibility for approximately 3.3 million square feet of identified future landscape improvements from the homeowners association to the City's LMD, balance out the financial impact to property owners through lower monthly re-occurring HOA dues, and will not generate any net increase in maintenance costs for future property owners. Finally, this action will place long-term maintenance control with the City's LMD and ensure the City Council's ultimate landscaping expectations associated with this project are met.

Due to the proposed inclusion of 3.5 million square feet of total landscape area to be maintained by LMD not originally identified as part of the LMD at the time Zone 1D was established, a modification to the assessment rate is recommended. The parcels included in the proposed Zone

will be detached from District 1 Zone 1- Annexation 1D.

The maximum assessment rate will be established at a maintenance level to sustain landscaping as originally approved by the City Council. If approved by the property owners, the maximum assessment in LMD No. 1, Zone 21 (Golden Valley Ranch-Residential) would change from \$276.86 per parcel to \$1,680.21 per EDU, plus \$57.07 per EDU for Zone 2008-1, for a total maximum annual assessment of \$1,737.28 per EDU. The actual assessment is anticipated to be less.

Improvements include the local street medians, parkway, side panels, street trees, local ornamental monuments, and bus stop amenities in public rights-of-ways and easements within and adjacent to Zone 21. Zone 21 will also be annexed into LMD No. 1, Zone 2008-1 (Major Thoroughfare Medians).

*Annex parcels into Zone 2008-1 (Major Thoroughfare Medians)*

In March 2008, the City Council created LMD No. 1, Zone 2008-1 (Major Thoroughfare Medians) a Citywide LMD zone to maintain landscaped medians on the City's major transportation corridors. The parcels proposed to be annexed into Zone 2008-1 benefit from the medians located on the City's major transportation corridors of the City of Santa Clarita. The annexation would ensure the parcels pay their proportional share of the maintenance of the medians. If approved by the property owners, the annual maximum assessment rate for the parcels annexed into Zone 2008-1 would be \$57.07 per EDU.

ALTERNATIVE ACTIONS

Other direction as determined by the City Council.

FISCAL IMPACT

No impact to to the General Fund.

ATTACHMENTS

Resolution - of Initiation  
Resolution - of Intent Approving Engineer's Report  
Assessment Engineer's Report

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SANTA CLARITA, CALIFORNIA, INITIATING PROCEEDINGS AND  
MAKING CERTAIN DESIGNATIONS IN CONNECTION WITH  
PROPOSED ANNEXATIONS INTO, DETACHMENTS FROM, CREATION  
OF NEW ZONES, AND DISSOLUTION OF EXISTING ZONES, AND  
ASSESSMENT RATE ADJUSTMENTS IN LANDSCAPE  
MAINTENANCE DISTRICT NOS. 1, A2, AND T1

WHEREAS, the City Council of the City of Santa Clarita (the "City") desires to undertake proceedings pursuant to the provisions of the "Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act") and in accordance with Article XIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code) to annex various properties in the City into, create new Zones within, and adjust assessment rates in various Zones within Landscape Maintenance District (LMD) No. 1 (the "Annexations, Creations, and Adjustments") to fund the costs of installation, servicing, and maintenance of improvements within public rights-of-way and landscape easements within various areas in the City (the "Improvements"); to detach various parcels from LMD Nos. 1, T1, and A2 and from Zones within LMD No. T1 (the "Detachments") that are being annexed into new or existing Zones in LMD No. 1; and to dissolve various Zones within LMD Nos. T1 and A2 (the "Dissolutions") that are no longer needed; and

WHEREAS, the boundaries of the proposed Annexations, Creations, and Adjustments shall be as described on the map presented to this Council and on file with the City Clerk and incorporated herein by reference; and

WHEREAS, the City has approved a consulting engineer's contract with Harris & Associates, naming Harris & Associates as the Assessment Engineer and firm responsible for preparing the Engineer's Report and assisting in the public hearing and formation process for the proposed Annexations.

NOW, THEREFORE, the City Council of the City of Santa Clarita, California, does hereby resolve as follows:

SECTION 1. The foregoing recitals are true and correct, and the City Council hereby so finds and determines.

SECTION 2. The City Council of the City proposes to annex various properties into and create new Zones within and adjust assessment rates in various Zones within LMD No. 1. The boundaries of said Annexations, Creations, and Adjustments shall be as described on the map entitled "City of Santa Clarita Annexations to Landscape Maintenance District No. 1," on file with the City Clerk.

SECTION 3. The purposes of the Annexations, Creations, and Adjustments are to fund the costs of installation, servicing, and maintenance of landscaped improvements within public rights-of-way and dedicated landscape easements within various areas in the City.

SECTION 4. The City Council of the City proposes to detach various properties that are being annexed into new or existing Zones in LMD No. 1 from LMD No. 1 Zone 1 – Annexations 1A, 1C, 1D, and 1F; LMD No. 1 Zone 2A and Zone 2A – Annexations 2B, 2C, 2D, 2E, and 2G; LMD No. A2 – Annexations 2, 3, 4, 5, and 7; and LMD No. T1 and LMD No. T1, Zone T7;

SECTION 5. The City Council of the City proposes to dissolve various Zones within LMD Nos. A2 and T1 that are no longer needed due to parcel detachments and parcel annexations into new or existing Zones in LMD No. 1. The Zones proposed to be dissolved are LMD No. A2 Annexations 2, 3, 4, 5, and 7 and LMD T1 Zone T7; and

SECTION 6. Harris & Associates, an engineer registered pursuant to the Professional Engineers Act (Chapter 7, commencing with Section 670, of Division 3 of the Business and Professions Code), has been designated Assessment Engineer for the proposed Annexations. Harris & Associates is hereby ordered to prepare and file an "Engineer's Report" for the City Council's review, consideration, and adoption in accordance with the Act and the laws of the State of California. An amount of \$107,500 (maximum amount of appropriation needed for all services, including Harris & Associates, postage for mailing of the ballot packets and an informational letter, etc.) is hereby appropriated from LMD No. 1, Zone 2008-1 Major Thoroughfare Medians Fund Balance (Fund 357) and into account 12541-5161.002 (Zone 2008-1 Major Thoroughfare Medians – Professional Services). Further, the City Manager is hereby authorized to increase the existing contract with Harris & Associates to an amount not to exceed \$200,000.

SECTION 7. This resolution shall take effect immediately.

SECTION 8. The City Clerk shall certify to the passage and adoption of this resolution; shall cause the same to be entered in the book of resolutions of the City, and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of the City in the minutes of the meeting at which the same is presented.



PASSED, APPROVED AND ADOPTED this 14th day of July, 2009.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
CITY OF SANTA CLARITA         )

I, Sharon L. Dawson, CMC, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Santa Clarita at a regular meeting thereof, held on the 14th day of July, 2009, by the following vote:

AYES:            COUNCILMEMBERS:

NOES:            COUNCILMEMBERS:

ABSENT:          COUNCILMEMBERS:

\_\_\_\_\_  
CITY CLERK

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
CITY OF SANTA CLARITA         )

CERTIFICATION OF  
CITY COUNCIL RESOLUTION

I, Sharon L. Dawson, City Clerk of the City of Santa Clarita, do hereby certify that this is a true and correct copy of the original Resolution No. 09-\_\_\_\_, adopted by the City Council of the City of Santa Clarita, California on July 14, 2009, which is now on file in my office.

Witness my hand and seal of the City of Santa Clarita, California, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Sharon L. Dawson, CMC  
City Clerk

By \_\_\_\_\_

Deputy City Clerk

RESOLUTION NO. 09-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CLARITA, CALIFORNIA, APPROVING AN ENGINEER'S REPORT, AND DECLARING ITS INTENTION TO ORDER ANNEXATIONS INTO, DETACHMENTS FROM, CREATION OF NEW ZONES, AND DISSOLUTION OF EXISTING ZONES, AND ASSESSMENT RATE ADJUSTMENTS IN LANDSCAPE MAINTENANCE DISTRICT NOS. 1, A2, AND T1, AND TO LEVY AN ASSESSMENT THEREON, AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

WHEREAS, the City Council of the City of Santa Clarita (the "City") has initiated proceedings to annex various properties in the City into, create new Zones within, and adjust assessment rates in various Zones within Landscape Maintenance District (LMD) No. 1 (the "Annexations, Creations, and Adjustments") pursuant to the provisions of the "Landscaping and Lighting Act of 1972," being Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act") and in accordance with Article XIID of the California Constitution and the Proposition 218 Omnibus Implementation Act (commencing with Section 53750 of the California Government Code), to fund the costs of installation, servicing, and maintenance of improvements within public rights-of-way and dedicated landscape easements within various areas in the City; to detach various parcels from Zones within LMD Nos. 1, T1, and A2 (the "Detachments") that are being annexed into new or existing Zones in LMD No. 1; and to dissolve various Zones within LMD Nos. 1, T1, and A2 (the "Dissolutions") that are no longer needed; and

WHEREAS, the boundaries of the proposed Annexations, Creations, and Adjustments shall be as described on the map entitled "City of Santa Clarita Annexations to Landscape Maintenance District No. 1" presented to this Council and on file with the City Clerk and incorporated herein by reference; and

WHEREAS, a listing of various properties proposed to be detached from LMD No. 1 Zone 1 – Annexations 1A, 1C, 1D, and 1F; LMD No. 1 Zone 2A and Zone 2A – Annexations 2B, 2C, 2D, 2E, and 2G; LMD No. A2 – Annexations 2, 3, 4, 5, and 7; and LMD No. T1 and LMD No. T1, Zone T7; is on file with the City Clerk; and

WHEREAS, various Annexations within LMD No. A2 and Zones within LMD No. T1 are proposed to be dissolved, which specifically are: LMD No. A2 Annexations 2, 3, 4, 5, and 7 and LMD No. T1, Zone T7; and

WHEREAS, the Assessment Engineer, Harris & Associates, has filed with the City Clerk of the City and the City Clerk has presented to the City Council a report dated July 14, 2009 (the "Engineer's Report") regarding the proposed Annexations and containing the matters specified in Section 22586 of the Act; and

WHEREAS, the Engineer's Report has been duly presented by the City Clerk for consideration and has been fully considered by the City Council;

NOW THEREFORE, the City Council of the City of Santa Clarita, California, does hereby resolve as follows:

SECTION 1. The foregoing recitals are true and correct, and the City Council hereby so finds and determines.

SECTION 2. The Engineer's Report, including the plans, specifications, general descriptions, estimate of the cost of installation, servicing, and maintenance of various improvements authorized pursuant to the Act within public rights-of-way and dedicated landscape easements within various areas in the City (the "Improvements") and incidental expenses in connection therewith, the diagram and the proposed assessments, is hereby approved as filed and incorporated herein by this reference. The Engineer's Report shall stand as the report for the purpose of all subsequent proceedings under the Act and Article XIID, except that it may be confirmed, modified, or corrected as provided in the Act.

SECTION 3. The City Council hereby finds that the public interest, necessity and convenience require the installation, servicing, and maintenance of the Improvements, and this City Council hereby declares its intention to annex various properties into and create new Zones within and adjust assessment rates in various Zones within LMD No. 1. The boundaries of the Annexations, Creations, and Adjustments shall cover the real property benefited by the Improvements and are described on the map entitled "City of Santa Clarita Annexations into Landscape Maintenance District No. 1," on file with the City Clerk. The City Council hereby declares and finds the land within the boundaries of the Annexations, Creations, and Adjustments to be specially benefited by the Improvements and/or the maintenance thereof.

SECTION 4. The purpose of the Annexations, Creations, and Adjustments is to fund the costs of installation, servicing, and/or maintenance of improvements within public rights-of-way and dedicated landscape easements within various areas in the City of benefit to the Property within the Annexations, Creations, and Adjustments. All improvements and work to be funded by the Annexations, Creations, and Adjustments shall be done in accordance with the Engineer's Report, on file in the office of the City Clerk and which is hereby referred to and by this reference incorporated herein and made a part hereof. The Engineer's Report and its exhibits contain a full and detailed description of the Improvements and the maintenance thereof which may be funded by the Annexations, Creations, and Adjustments, the boundaries of the Annexations, Creations, and Adjustments and the proposed assessments upon the assessable properties in the Annexations, Creations, and Adjustments.

SECTION 5. As set forth in the Engineers Report, the maximum annual maintenance assessment rates will be increased each subsequent Fiscal Year by the annual change in the Consumer Price Index (CPI), during the preceding year, for all urban consumers for the Los Angeles, Riverside, and Orange County areas, published by the United States Department of Labor, Bureau of Labor Statistics (or a reasonably equivalent index if such index is

discontinued). The actual assessment to be levied in each fiscal year will be as determined by the City Council and may not exceed the maximum assessment rate without receiving property owner approval for the increase. If approved, the assessment will be levied beginning in Fiscal Year 2010-11.

SECTION 6. The City Council hereby finds, should the Annexations, Creations, and Adjustments be approved, that various properties that are being annexed into new or existing Zones in LMD No. 1 shall be detached from LMD No. 1 Zone 1 – Annexations 1A, 1C, 1D, and 1F; LMD No. 1 Zone 2A and Zone 2A – Annexations 2B, 2C, 2D, 2E, and 2G; LMD No. A2 – Annexations 2, 3, 4, 5, and 7; and LMD No. T1 and LMD No. T1, Zone T7.

SECTION 7. The City Council hereby finds, should the Annexations, Creations, and Adjustments be approved, that various Zones and Annexations, specifically LMD No. A2 Annexations 2, 3, 4, 5, and 7 and LMD T1 Zone T7, are no longer needed due to properties being annexed into new or existing Zones in LMD No. 1 and shall be dissolved.

SECTION 8. The City Council appoints September 8, 2009 at 6:00 p.m. in the Council Chambers, 23920 Valencia Boulevard, Santa Clarita, California, or as soon thereafter as the matter may be heard, as the time and place for hearing protests to the proposed Annexations, Creations, and Adjustments, Detachments and Dissolutions thereof, the proposed levy of assessments, the amount of the individual assessments, and related matters as set forth in the Engineer's Report, and any interested person may appear and object to the Improvements, or to the extent of the Annexations, Creations, and Adjustments or to said proposed assessments.

SECTION 9. The City Clerk is hereby directed to give notice of such hearing by mailing notices thereof, together with assessment ballots, in the time, form and manner provided by Section 53753 of the California Government Code, and upon the completion of the mailing of said notices and assessment ballots, the City Clerk is hereby directed to file with the City Council an affidavit setting forth the time and manner of the compliance with the requirements of law for mailing said notices and assessment ballots. The City Clerk shall cause notice of the public hearing to be given by mailing, postage prepaid, in the United States mail, and such notice shall be deemed to have been given when deposited in such mail. The notice shall be mailed not less than forty-five (45) days before the date of the public hearing ordered herein.

SECTION 10. The City Council designates Darren Hernández, Deputy City Manager, and his designees, to answer inquiries regarding the assessment proceedings, the assessments, or the Annexations. The Engineer's Report and other written material about the Annexations may also be reviewed at the office of the City Clerk, 23920 Valencia Boulevard, Santa Clarita, California, during regular business hours.

SECTION 10. This resolution shall take effect immediately.

SECTION 11. The City Clerk shall certify to the passage and adoption of this resolution; cause the same to be entered in the book of resolutions of the City, and make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of the

City in the minutes of the meeting at which the same is presented.

PASSED, APPROVED AND ADOPTED this 14th day of July, 2009.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
CITY OF SANTA CLARITA         )

I, Sharon L. Dawson, CMC, City Clerk of the City of Santa Clarita, do hereby certify that the foregoing Resolution was duly adopted by the City Council of the City of Santa Clarita at a regular meeting thereof, held on the 14th day of July, 2009, by the following vote:

AYES:            COUNCILMEMBERS:

NOES:            COUNCILMEMBERS:

ABSENT:          COUNCILMEMBERS:

\_\_\_\_\_  
CITY CLERK

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES       ) ss.  
CITY OF SANTA CLARITA         )

CERTIFICATION OF  
CITY COUNCIL RESOLUTION

I, Sharon L. Dawson, City Clerk of the City of Santa Clarita, do hereby certify that this is a true and correct copy of the original Resolution No. 09-\_\_\_, adopted by the City Council of the City of Santa Clarita, California on July 14, 2009, which is now on file in my office.

Witness my hand and seal of the City of Santa Clarita, California, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Sharon L. Dawson, CMC  
City Clerk

By \_\_\_\_\_

Deputy City Clerk