

RESOLUTION NO. 2115-20

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF WESTLAKE VILLAGE
DECLARING ITS INTENTION TO LEVY AND COLLECT
ASSESSMENTS WITHIN WESTLAKE VILLAGE
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
NO. 1 FOR FISCAL YEAR 2020-21 PURSUANT TO THE
PROVISIONS OF PART 2 OF DIVISION 15 OF THE
STREETS AND HIGHWAYS CODE, APPOINTING A TIME
AND PLACE FOR HEARING PROTESTS AND
RESCINDING RESOLUTION NO. 2108-20**

**THE CITY COUNCIL OF THE CITY OF WESTLAKE VILLAGE HEREBY FINDS,
RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. The City Council of the City of Westlake Village hereby (1) finds that the public interest and convenience requires and (2) declares its intention to levy and collect assessments against the lots and parcels of property within an existing assessment district designated “Westlake Village Landscape Maintenance Assessment District No. 1” (the “District”) pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2 of Division 15 of the Streets and Highways Code (commencing with Section 22500) (the “Act”) for fiscal year 2020-21, commencing July 1, 2020, and ending June 30, 2021, to pay for the costs and expenses of the improvements described below in Section 4.

Section 2. The boundaries of the District are coterminous with the boundaries of the City of Westlake Village.

Section 3. Reference is made to a map on file in the office of the City Clerk and open for public inspection for a description of the exterior boundaries of the District.

Section 4. The existing improvements are briefly described as follows: The installation, maintenance and servicing of public streets, specifically the installation, operation, maintenance and servicing of landscaping, including trees, shrubs, grass and other ornamental vegetation, and appurtenant facilities, including irrigation systems and drainage devices, located in public roadways, streets and rights-of-way within the boundaries of the City. “Maintenance” means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting, and painting of landscaping and appurtenant facilities to remove or to cover graffiti. “Servicing” means the furnishing of electric current, energy, or gas for the operation of any of the appurtenant facilities and the furnishing of water for the irrigation of the landscaping and the maintenance of any of the appurtenant facilities.

Section 5. The assessments proposed to be levied and collected against the assessable lots and parcels of property within the District for fiscal year 2020-21 are not proposed to increase from the assessments levied and collected for fiscal year 2019-20.

Section 6. Public property owned by any public agency and in use in the performance of a public function that is included within the boundaries of the District shall not be subject to assessment to be made under these proceedings to cover any of the costs and expenses of the improvements.

Section 7. All railroad, gas, water and electric utility rights-of-way are included within the District and shall be assessed in accordance with the benefits received from the improvements.

Section 8. Reference is hereby made to the Report of the Engineer titled "Engineer's Report for City of Westlake Village Landscape Maintenance Assessment District No. 1, Fiscal Year 2020-21" on file in the office of the City Clerk for a full and detailed description of the improvements, the boundaries of the District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District. The Engineer's Report is available on the City's website at <https://www.wlv.org>.

Section 9. NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL APPOINTS WEDNESDAY, THE 24th DAY OF JUNE, 2020, AT THE HOUR OF 6:30 P.M., IN THE COUNCIL CHAMBERS AT CITY HALL, CITY OF WESTLAKE VILLAGE, 31200 OAK CREST DRIVE, WESTLAKE VILLAGE, CALIFORNIA 91361, OR IN A TELECONFERENCE CONDUCTED PURSUANT TO GOVERNOR NEWSOM'S EXECUTIVE ORDER NO. N-29-20, AS THE TIME AND PLACE FOR THE HEARING OF PROTESTS OR OBJECTIONS TO THE LEVY OF THE PROPOSED ASSESSMENTS IN CONNECTION WITH THE DISTRICT. All interested persons shall be afforded the opportunity to hear and be heard consistent with such Executive Order. Any interested person may file a written protest with the City Clerk prior to the conclusion of the hearing. 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 the signer. The City Council shall consider all oral statements and all written protests made or filed by any interested person. Further information regarding how the June 24, 2020 City Council meeting will be conducted will be available on the City's website at <https://www.wlv.org> at least 72 hours prior to the start of the City Council meeting.

Section 10. The City Clerk is authorized and directed to give notice of this hearing in accordance with law.

Section 11. The City Council determines and declares that the proposed assessments constitute a continuation of assessments existing on the effective date of Article XIID, that the assessments are imposed exclusively to finance the maintenance and operation expenses for streets, and that the assessments are exempt from the requirements of Article XIID, Section 4 of the California Constitution.

Section 12. The City Council designates Ms. Roxanne Hughes, City Engineer, telephone number (805) 890-8885, to answer inquiries regarding the hearing, protest proceedings, and procedural or technical matters.

Section 13. On May 13, 2019, the City Council adopted its Resolution No. 2108-20 declaring its intention to levy and collect assessments within Westlake Village Landscape Maintenance Assessment District No. 1 for fiscal year 2020-21 pursuant to the provisions of Part 2 of Division 15 of the Streets and Highways Code and appointing June 9, 2020, as the date of the public hearing to consider protests or objections to the levy of the proposed assessments in connection with the District. It has become necessary to reschedule the public hearing. Resolution No. 2108-20 is hereby rescinded.

PASSED, APPROVED AND ADOPTED this 9th day of June, 2020.

/s/ Beth A. Schott, CMC, City Clerk