

RESOLUTION NO. 12 - 24

A RESOLUTION INITIATING PROCEEDINGS FOR THE FORMATION OF LANDSCAPING AND LIGHTING DISTRICT NO. 2012-1, AND DIRECTING THE PREPARATION AND FILING OF AN ENGINEER'S REPORT

WHEREAS, the City Council of the City of Ridgecrest ("City"), pursuant to the provisions of the Landscaping and Lighting Act of 1972, Division 15, Part 2 of the California Streets and Highways Code ("Act"), desires to initiate proceedings for the formation of an assessment district to be known and designated as City of Ridgecrest, Landscaping and Lighting District No. 2012-1 ("District"), and to levy and collect annual assessments for the District commencing in fiscal year 2012/2013 to pay for the operation, maintenance, and servicing of landscaping and lighting improvements, and appurtenant facilities related thereto; and

WHEREAS, pursuant to Chapter 2, Article 1 Section 22585 of the Act, proceedings for the formation of an assessment district shall be initiated by resolution and that resolution shall generally describe the proposed improvements, describe the proposed assessment district and specify a distinctive designation for the district and order the engineer to prepare and file a report in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Act; and

WHEREAS, the City has retained Willdan Financial Services ("Willdan") for the purpose of assisting with the formation of the District, the establishment of annual assessments, and to prepare and file a report with the City Clerk concerning the formation of Landscaping and Lighting District No. 2012-1 and the proposed annual levy of assessments in accordance with the Act and the provisions of the California Constitution Article XIID (the "Constitution"); and

WHEREAS, the residents of LMAD No. 1 and LMAD No. 2 have been informed and will have the opportunity to vote on the proposed new annual assessments for the proposed District; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of Ridgecrest, as follows:

SECTION 1. That the foregoing recitals are true and correct.

SECTION 2. That the City proposes to form Landscaping and Lighting District No. 2012-1, and to levy and collect annual assessments for the District commencing in fiscal year 2012/2013 to pay for the operation, maintenance, and servicing of local landscaping and lighting improvements, and appurtenant facilities related thereto; and

SECTION 3. That the District as described in the Report consists of the lots and parcels of land that will receive special benefits from the improvements and services to be provided and are within the residential subdivisions known as DR Horton Tract No. 6740

which is generally located on the west side of College Heights Boulevard, just north of Kendall Avenue and will eventually include all or a portion of the residential streets designated as Del Rosa Drive, Rain Shadow Court, Salt River Drive, Majestic Sky Court and Wild Thorne Drive. The parcels within the proposed District are currently identified on the Kern County Assessor's Parcel Maps as Book 510; Page 010, Parcel 12 (22.70 acres), and incorporates sixty-seven (67) planned single-family residential home sites, associated public right-of-ways and easements as identified on the approved tract maps for Tract No. 6740, and by reference these maps and documents are made part of this resolution; and

SECTION 4. That the improvements for which the District is formed generally include, but are not limited to, the maintenance, operation and servicing of the local streetscape landscaping and street lighting improvements established in connection with development of the properties within the District, and which shall be maintained for the special benefit of those properties. The maintenance and servicing of the improvements generally include, but are not limited to, the materials, equipment, utilities, labor, and incidental expenses, including administrative expenses, required for annual operation, as well as the performance of periodic repairs and replacement activities as needed to provide for the growth, health, and beauty of trees, landscaping and the proper operation and functioning of related hardscapes, street lights and street lighting system, irrigation systems and drainage systems within the public right-of-ways and/or dedicated easements; and

SECTION 5. That Willdan is designated by this Council as the Engineer of Work for the formation of Landscaping and Lighting District No. 2012-1, and is hereby directed to prepare and file with the City an Engineer's Report concerning the formation of the District and the annual levy of assessments in accordance with the requirements of Chapter 1, Article 4 of the Act.

APPROVED AND ADOPTED this 18th day of April 2012 by the following vote.

AYES: Mayor Carter, Council Members Holloway, Taylor, Morgan, and Patin
NOES: None
ABSENT: None
ABSTAIN: None



Ronald H. Carter, Mayor

ATTEST:



Rachel J. Ford, CMC
City Clerk