

RESOLUTION CC-2024-20

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE,
COUNTY OF SHASTA, STATE OF CALIFORNIA, DECLARING THE RESULTS OF
THE PROPERTY OWNER PROTEST BALLOT PROCEEDING CONDUCTED FOR
THE LEVY OF ASSESSMENTS RELATED TO THE FORMATION OF THE SHASTA
GATEWAY INDUSTRIAL PARK LANDSCAPE MAINTENANCE DISTRICT,
COMMENCING IN FISCAL YEAR 2023/2024**

WHEREAS, the City Council of the City of Shasta Lake ("City") pursuant to the provisions of the Landscaping and Lighting Act of 1972, being Part 2, Division 15 of the California Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "Act"), did by previous resolutions, initiate proceedings for the formation of the Shasta Gateway Industrial Park Landscape Maintenance District (the "District") and declared its intention to conduct a protest balloting to establish maximum assessments for the Districts commencing in Fiscal Year 2023/2024 for the special benefits received by properties therein for the operation, maintenance and servicing of landscaping improvements, and all appurtenant facilities related thereto; and,

WHEREAS, in accordance with the provisions of the California Constitution, Article XIID, the City Council has caused and conducted a property owner protest ballot proceeding for the formation of the District and the proposed annual levy off assessments; and,

WHEREAS, the assessment presented to the property owner of record within the District reflects the special benefit and financial obligation for the costs and expenses related to the maintenance, servicing and operation of local landscaping improvements therein as authorized by the Act and the provisions of the California Constitution and the ballot presented clearly identified the total amount balloted on the property, the proposed assessment rate, the property's annual amount commencing with Fiscal Year 2023/2024 and the inflationary adjustment applicable to future assessments; and

WHEREAS, upon the close of the Public Hearing held on March 19, 2024, the protest ballots returned by the landowner of record within the District, was opened and tabulated, the results of which are illustrated below:

Yes \$ 45,140.23

No \$ 7,767.15

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

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

SECTION 2. The protest proceedings were conducted with the notices and ballots of the proposed new assessments presented to the qualified property owners within the District as required by law, with a required receipt of the returned ballots to the City Clerk prior to the close of the Public Hearing on March 19, 2024.

SECTION 3. The canvass of the protest ballots cast for the proposed assessments and formation of the District, received prior to the close of the public hearing and weighted according to the proportional financial obligation of the affected properties is hereby approved and confirmed.

SECTION 4. The City Clerk is hereby directed to enter this Resolution on the minutes of this meeting, which shall constitute the official declaration of the result of such property owner protest ballot proceeding.

SECTION 5. This Resolution shall become effective immediately upon its adoption and the City Clerk shall certify the adoption of this Resolution

PASSED, APPROVED, AND ADOPTED this 19th day of March 2024 by the following vote.

AYES: Eisenbeisz, Jones, Morgan, Powell, Watkins

NOES: None

ABSENT: None



JANICE POWELL, Mayor

ATTEST:


CHARITY TATLOW, Deputy City Clerk