

RESOLUTION NO. 22-2025

PRELIMINARILY APPROVING ENGINEER'S REPORT, DECLARING INTENT TO FORM DANVILLE LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. 2025-1 AND LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2025/26, AND SETTING MAY 20, 2025 AS THE DATE FOR THE PUBLIC HEARING

WHEREAS, the Danville Town Council (the "Town Council") is proposing the formation of an assessment district pursuant to the provisions of the Landscaping and Lighting Act of 1972 (commencing at Section 22500 of the California Streets and Highways Code), hereinafter referred to as the "Act", to replace existing Danville Street Lighting and Landscape Assessment District No. 1983-1; and

WHEREAS, on February 4, 2025, the Town Council adopted Resolution No. 7-2025, initiating proceedings related to the formation of the proposed assessment district, describing the district and its improvements, specifying the distinctive designation of the proposed assessment district as Danville Landscaping and Lighting Assessment District No. 2025-1 (the "District"), and ordering the District Engineer to prepare the Engineer's Report for the District, which report has been prepared in accordance with Article 4 (beginning with Section 22565 of the California Streets and Highways Code) of Chapter 1 of the Act, filed with the City Clerk, and has been considered by the Town Council in these proceedings; and

WHEREAS, it is the intention of the Town Council to form the District and levy and collect assessments within the District for Fiscal Year 2025/26; and

WHEREAS, the District includes all parcels of land within the incorporated limits of the Town of Danville; and

WHEREAS, reference is hereby made to the aforementioned Engineer's Report, on file with the City Clerk, for a full and detailed description of the improvements, the boundaries of the District, the benefit zones, and the proposed assessments upon assessable lots and parcels of land within the District; and

WHEREAS, the proposed maximum assessment rates for the District will be authorized to increase annually by the San Francisco Bay Area Consumer Price Index published by the Bureau of Labor and Statistics, beginning in Fiscal Year 2026/27 and not to exceed three percent annually; now, therefore, be it

RESOLVED, that the Town Council hereby declares its intent to form the District and levy and collect assessments for the District for Fiscal Year 2025/26; and be it further

RESOLVED, that the Town Council finds the improvements to be made in the District are generally described as the operation, maintenance, and servicing of landscaping, streetlighting, and parks improvements located in and along streets and within other public areas as referenced in the Engineer's Report on file with the City Clerk. All interested persons are referred to the Engineer's Report for a full and detailed description of the improvements, the boundaries of the District and its benefit zones, and the proposed assessments upon assessable lots and parcels of land within the District; and be it further

RESOLVED, that the Town Council authorizes the mailing of notices and ballots to all affected property owners within the District a minimum of 45 days prior to the public hearing in accordance with Proposition 218; and be it further

RESOLVED, that on Tuesday, May 20, 2025, a public hearing will be held by the Town Council on the question of the formation of the District and levy of the proposed annual assessments upon the assessable lots and parcels of land within the District. The meeting and public hearing will be held at the Town Meeting Hall, 201 Front Street, Danville, California; and be it further

RESOLVED, that on May 21, 2025, or as soon thereafter as possible, the ballots returned will be tabulated at the Town Offices to determine if a majority protest exists. The results of the ballot tabulation will be reported to the Town Council at the next regularly scheduled Town Council meeting; and be it further

RESOLVED, that the Town Council authorizes and directs the City Clerk to give the notice of public hearing required by the Act and Proposition 218; and be it further

RESOLVED, that the Engineer's Report prepared and filed by the District Engineer contains all of the elements required for such reports by the Act and Article XIIIID, Section 4 of the California Constitution, including: 1) an estimate of the annual cost of the improvements; 2) a diagram for the District; and 3) an assessment of the estimated annual costs of improvements, and is hereby deemed sufficient and preliminarily approved. The report shall stand as the Engineer's Report for all subsequent proceedings under and pursuant to this resolution.

APPROVED by the Town Council at a regular meeting on March 18, 2025 by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

MAYOR

APPROVED AS TO FORM:

ATTEST:

DocuSigned by:
Robert B. Ewing
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CITY ATTORNEY

CITY CLERK