CITY OF MARTINEZ **CITY COUNCIL AGENDA**
April 1, 2009

TO: Mayor and City Council

FROM: Tim Tucker, City Engineer

SUBJECT: Engineer's Report for Lighting and Landscape Assessment Districts

DATE: March 23, 2009

RECOMMENDATION:

Authorize the City Engineer to prepare the Engineer's Report for each of the eight existing Lighting and Landscape Assessment Districts.

BACKGROUND:

The Landscaping and Lighting Act of 1972 was incorporated into the Martinez Municipal Code under Section 13.29.010 on March 18, 1981. This allows the City to form assessment districts for the purpose of maintaining landscaping and lighting facilities over public rights-of-way, easements and properties.

Each year in which an assessment is to be levied an Engineer's Report must be filed for each district. The amount of the assessment and its use will be determined in the report. The funds collected can only be used within the boundaries of the district. Any deficit or surplus left in the account from prior years will be carried over and included in the Engineer's Report and may impact the assessments.

There is a three step process for renewing the assessment in existing assessment districts. Authorizing the preparation of an Engineers Report is the first of those steps. Once the Report is completed and necessary assessment levels are determined the Council will be requested to set a public hearing. At the Public Hearing, the third step, the Council will listen to any protests and make a final decision on the assessment amount.

FISCAL IMPACT:

None at this time. There are funds available in the various district budgets to cover the cost of preparing the Engineer's Report. General Fund revenues have been used to supplement assessment district revenues in some districts in previous years.

ACTION:

Adopt resolutions directing the City Engineer to prepare the Engineer Reports and Assessment Diagrams for the following Landscaping and Lighting Assessment Districts:

a. 1979-3 (LL-2) (Village Oaks Terrace) for Fiscal Year 2009-10.
b. 1981-3 (Muir Station Park) for Fiscal Year 2009-10.
c. 1983-3 (Vista Oaks) for Fiscal Year 2009-10.
d. 1988-1 (Center Martinez) for Fiscal Year 2009-10.
e. 1994-1 (Creekside) for Fiscal Year 2009-10.
f. 1997-1 (Brittany Hills) for Fiscal Year 2009-10.
g. 2000-2 (Terra Vista) for Fiscal Year 2009-10
h. 2001-1 (Alhambra Estates) for Fiscal Year 2009-10.

Attachment:

1. Resolutions
2. Location map

APPROVED BY:

City Manager

RESOLUTION NO. -09

DIRECTING THE CITY ENGINEER TO PREPARE THE ENGINEER'S REPORT AND ASSESMENT DIAGRAM FOR LANDSCAPING AND LIGHTING DISTRICT 1979-3 (LL2) (VILLAGE OAKS TERRACE) FOR FISCAL YEAR 2009-10

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 1979-3 (LL2) (Village Oaks Terrace), and did on July 19, 1993 pursuant to proceedings duly had, adopt its Resolution No. 97-93, a Resolution Ordering Formation of Territory Into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the location of the proposed District is commonly known as Contra Costa County Subdivision No. 7304, Village Oaks Terrace (MS 350M38); and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2009-10.

NOW, THEREFORE, BE IT RESOLVED that the improvements to be constructed or installed, including the maintenance or servicing, or both, thereof, of public landscaping, including trees, shrubs, grass or other desired vegetation and the irrigation system therefor.

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on the map entitled "Proposed Boundaries of Landscaping and Lighting District 1979-3 (Village Oaks Terrace)" thereof on file in the office of the City

Clerk of the City of Martinez to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED that the duties of "Engineer" as defined in Section 22523 of the Streets and Highways Code relative to this assessment district are hereby empowered to be performed by

a Registered Civil Engineer as designated by and under the direction of the City Manager; and

BE IT FURTHER RESOLVED that the designated Engineer of said City be, and is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its distinctive designation, specifying the Fiscal Year to which the report applies, and, with respect to that year, presenting the following:

a) Plans and specifications for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;

b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the Fiscal Year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.

*** * * * * ***

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of April, 2009 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

RESOLUTION NO. -09

DIRECTING THE CITY ENGINEER TO PREPARE THE ENGINEER'S REPORT AND ASSESMENT DIAGRAM FOR LANDSCAPING AND LIGHTING DISTRICT 1981-3 (MUIR STATION PARK) FOR FISCAL YEAR 2009-10

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 1981-3 (Muir Station Park), and did, on June 25, 1981, pursuant to proceedings duly had, adopt its Resolution No. 81-88, a Resolution Ordering Formation of Territory Into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the location of the proposed District is commonly known as Contra Costa County Subdivision No. 5847, Muir Station Park (245M10); and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2009-10.

NOW, THEREFORE, BE IT RESOLVED that the improvements to be constructed or installed, including the maintenance or servicing, or both, thereof, of public landscaping, including trees, shrubs, grass or other desired vegetation and the irrigation system therefore.

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on the map entitled "Proposed Boundaries of Landscaping and Lighting District 1981-3 (Muir Station Park)", thereof on file in the office of the City Clerk of the City of Martinez to which reference is hereby made for further particulars. Said map indicates by a boundary line

the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED that the duties of "Engineer" as defined in Section 22523 of the Streets and Highways Code relative to this assessment district are hereby empowered to be performed by a Registered Civil Engineer as designated by and under the direction of the City Manager; and

BE IT FURTHER RESOLVED that the designated Engineer of said City be, and is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its distinctive designation, specifying the Fiscal Year to which the report applies, and, with respect to that year, presenting the following:

a) Plans and specifications for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;

b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the Fiscal Year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.

*** * * * * ***

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of April, 2009 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

RESOLUTION NO. -09

DIRECTING THE CITY ENGINEER TO PREPARE THE ENGINEER'S REPORT AND ASSESMENT DIAGRAM FOR LANDSCAPING AND LIGHTING DISTRICT 1983-3 (VISTA OAKS) FOR FISCAL YEAR 2009-10

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 1983-3 (Vista Oaks), and did on July 20, 1983 pursuant to proceedings duly had, adopt its Resolution No. 133-83, a Resolution Ordering Formation of Territory Into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the location of the proposed District is commonly known as Contra Costa County Subdivision No. 6265, Vista Oaks (241M1) and adjacent lands (APN 376-130-028); and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2009-10.

NOW, THEREFORE, BE IT RESOLVED that the improvements to be constructed or installed, including the maintenance or servicing, or both, thereof, of public landscaping, including trees, shrubs, grass or other desired vegetation and the irrigation system therefor.

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on the map entitled "Proposed Boundaries of Landscaping and Lighting District 1983-3 (Vista Oaks)" thereof on file in the office of the City Clerk of the City of Martinez to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED that the duties of "Engineer" as defined in Section 22523 of the Streets and Highways Code relative to this assessment district are hereby empowered to be performed by a Registered Civil Engineer as designated by and under the direction of the City Manager; and

BE IT FURTHER RESOLVED that the designated Engineer of said City be, and is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its

distinctive designation, specifying the Fiscal Year to which the report applies, and, with respect to that year, presenting the following:

a) Plans and specifications for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;

b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the Fiscal Year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.

*** * * * * ***

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of April, 2009 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

RESOLUTION NO. -09

DIRECTING THE CITY ENGINEER TO PREPARE THE ENGINEER'S REPORT AND ASSESMENT DIAGRAM FOR LANDSCAPING AND LIGHTING DISTRICT 1988-1 (THE CENTER MARTINEZ) FOR FISCAL YEAR 2009-10

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 1988-1 (The Center Martinez, formerly Center/Costco), and did on April 20, 1988 pursuant to proceedings duly had, adopt its Resolution No. 66-88 , a Resolution Ordering Formation of Territory Into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the location of the proposed District is commonly known as The Center Martinez, Minor Subdivision, MS# 555-87 (135PMZ1); and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2009-10.

NOW, THEREFORE, BE IT RESOLVED that the improvements to be constructed or installed, including the maintenance or servicing, or both, thereof, of public landscaping, including trees, shrubs, grass or other desired vegetation and the irrigation system therefor.

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on the map entitled "Proposed Boundaries of Landscaping and Lighting District 1988-1 (The Center Martinez)", thereof on file in the office of the City Clerk of the City of Martinez to which reference is hereby made

for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED that the duties of "Engineer" as defined in Section 22523 of the Streets and Highways Code relative to this assessment district are hereby empowered to be performed by

a Registered Civil Engineer as designated by and under the direction of the City Manager; and

BE IT FURTHER RESOLVED that the designated Engineer of said City be, and is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its distinctive designation, specifying the Fiscal Year to which the report applies, and, with respect to that year, presenting the following:

a) Plans and specifications for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;

b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the Fiscal Year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.

*** * * * * ***

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of April, 2009 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

RESOLUTION NO. -09

DIRECTING THE CITY ENGINEER TO PREPARE THE ENGINEER'S REPORT AND ASSESMENT DIAGRAM FOR LANDSCAPING AND LIGHTING DISTRICT 1994-1 (CREEKSIDE) FOR FISCAL YEAR 2009-10

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 1994-1 (Creekside), and did, on May 15, 1995, pursuant to proceedings duly had, adopt its Resolution No. 47-95, a Resolution Ordering Formation of Territory Into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the location of the proposed District is commonly known as Creekside, Contra Costa County Subdivision No. 7586; and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2009-10.

NOW, THEREFORE, BE IT RESOLVED that the improvements to be constructed or installed, including the maintenance or servicing, or both, thereof, of public landscaping, including trees, shrubs, grass or other desired vegetation and the irrigation system therefor.

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on a map entitled "Proposed Boundaries of Landscaping and Lighting District 1994-1 (Creekside)", thereof on file in the office of the City Clerk of the City of Martinez to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED that the duties of "Engineer" as defined in Section 22523 of the Streets and Highways Code relative to this assessment district are hereby empowered to be performed by a Registered Civil Engineer as designated by and under the direction of the City Manager; and

BE IT FURTHER RESOLVED that the designated Engineer of said City be, and is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its

distinctive designation, specifying the Fiscal Year to which the report applies, and, with respect to that year, presenting the following:

a) Plans and specifications for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;

b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the Fiscal Year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.

*** * * * * ***

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of April, 2009, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

RESOLUTION NO. -09

DIRECTING THE CITY ENGINEER TO PREPARE THE ENGINEER'S REPORT AND ASSESMENT DIAGRAM FOR LANDSCAPING AND LIGHTING DISTRICT 1997-1 (BRITTANY HILLS) FOR FISCAL YEAR 2009-10

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 1997-1 (Brittany Hills), and did, on April 1, 1999, pursuant to proceedings duly had, adopt its Resolution No. 44-98, a Resolution Ordering Formation of Territory Into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the location of the proposed District is commonly known as Contra Costa County Subdivision No. 7854 (Brittany Hills); and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2009-10; and

NOW, THEREFORE, BE IT RESOLVED that the improvements to be constructed or installed, including the maintenance or servicing, or both, thereof, of public landscaping, including trees, shrubs, grass or other desired vegetation and the irrigation system therefore; and

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on a map thereof on file in the office of the City Clerk of the City of Martinez to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED that the duties of "Engineer" as defined in Section 22523 of the Streets and Highways Code relative to this assessment district are hereby empowered to be performed by a Registered Civil Engineer as designated by and under the direction of the City Manager; and

BE IT FURTHER RESOLVED that the designated Engineer of said City be, and is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its

distinctive designation, specifying the Fiscal Year to which the report applies, and, with respect to that year, presenting the following:

a) Plans and specifications for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;

b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the Fiscal Year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.

*** * * * * ***

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a regular meeting of said Council held on the 1st day of April, 2009 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

RESOLUTION NO. -09

DIRECTING THE CITY ENGINEER TO PREPARE THE ENGINEER'S REPORT AND ASSESMENT DIAGRAM AND LANDSCAPING AND LIGHTING DISTRICT 2000-2 (TERRA VISTA) FOR FISCAL YEAR 2009-10

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 2000-2 (Terra Vista), and did, on November 15, 2000, pursuant to proceedings duly had, adopt its Resolution No. 138-00, a Resolution Ordering Formation of Territory into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the location of the proposed District is commonly known as Terra Vista, Contra Costa County Subdivision No. 8265 (424M41); and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2009-10.

NOW, THEREFORE, BE IT RESOLVED that the improvements to be constructed or installed, including the maintenance or servicing, or both, thereof, of public landscaping, including trees, shrubs, grass or other desired vegetation and the irrigation system therefor.

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on the map entitled "Proposed Boundaries of Landscaping and Lighting District 2000-2 (Terra Vista)", thereof on file in the office of the City Clerk of the City of Martinez to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED that the duties of "Engineer" as defined in Section 22523 of the Streets and Highways Code relative to this assessment district are hereby empowered to be performed by a Registered Civil Engineer as designated by and under the direction of the City Manager; and

BE IT FURTHER RESOLVED that the designated Engineer of said City be, and is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its distinctive designation, specifying the Fiscal Year to which the

report applies, and, with respect to that year, presenting the following:

a) Plans and specifications for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;

b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the Fiscal Year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.

*** * * * * ***

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of April, 2009 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

RESOLUTION NO. -09

DIRECTING THE CITY ENGINEER TO PREPARE THE ENGINEER'S REPORT AND ASSESMENT DIAGRAM FOR LANDSCAPING AND LIGHTING DISTRICT 2001-1 (ALHAMBRA ESTATES) FOR FISCAL YEAR 2009-10

WHEREAS, the City Council of the City of Martinez, California did, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the Streets and Highways Code of the State of California, did conduct proceedings for the formation of the Landscaping and Lighting District, 2000-1 (Alhambra Estates, formerly Subdivision 8330, Subdivision 8397, and MS 2000-52), and did on November 15, 2000 pursuant to proceedings duly had, adopt its Resolution No. 138-00, a Resolution Ordering Formation of Territory Into a Landscaping and Lighting District and Authorizing the Levy and Collection of Assessments Therein Pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, the location of the proposed District is commonly known as Alhambra Estates, Contra Costa County Subdivision No. 8330, Subdivision 8397 & MS 2000-52; and

WHEREAS, the public interest, convenience, and necessity require, and it is the intention of said Council, to undertake proceedings for the levy and collection of assessments upon the several lots or parcels of land in said District, for the construction or installation of improvements, including the maintenance or servicing, or both, thereof for the Fiscal Year 2009-10.

NOW, THEREFORE, BE IT RESOLVED that the improvements to be constructed or installed, including the maintenance or servicing, or both, thereof, of public landscaping, including trees, shrubs, grass or other desired vegetation and the irrigation system therefor.

BE IT FURTHER RESOLVED that the costs and expenses of said improvements, including the maintenance or servicing, or both, thereof, are to be made chargeable upon said District, the exterior boundaries of which District are the composite and consolidated area as more particularly shown on a map thereof on file in the office of the City Clerk of the City of Martinez to which reference is hereby made for further particulars. Said map indicates by a boundary line the extent of the territory included in said District and of any zone thereof and shall govern for all details as to the extent of the assessment district; and

BE IT FURTHER RESOLVED that the duties of "Engineer" as defined in Section 22523 of the Streets and Highways Code relative to this assessment district are hereby empowered to be performed by a Registered Civil Engineer as designated by and under the direction of the City Manager; and

BE IT FURTHER RESOLVED that the designated Engineer of said City be, and is hereby directed to prepare and file with said Clerk a report, in writing, referring to the assessment district by its

distinctive designation, specifying the Fiscal Year to which the report applies, and, with respect to that year, presenting the following:

a) Plans and specifications for proposed new improvements, if any, to be made within the assessment district or within any zone thereof;

b) An estimate of the costs of said proposed new improvements, if any, to be made, the costs of maintenance or servicing, or both, thereof, and of any existing improvements, together with the incidental expenses in connection therewith;

c) A diagram showing the exterior boundaries of the assessment district and of any zones within said district and the lines and dimensions of each lot or parcel of land within the district as such lot or parcel of land is shown on the County Assessor's map for the Fiscal Year to which the report applies, each of which lots or parcels of land shall be identified by a distinctive number or letter on said diagram; and

d) A proposed assessment of the total amount of the estimated costs and expenses of the proposed new improvements, including the maintenance or servicing, or both, thereof, and of any existing improvements upon the several lots or parcels of land in said district in proportion to the estimated benefits to be received by such lots or parcels of land respectively from said improvements, including the maintenance or servicing, or both, thereof, and of the expenses incidental thereto.

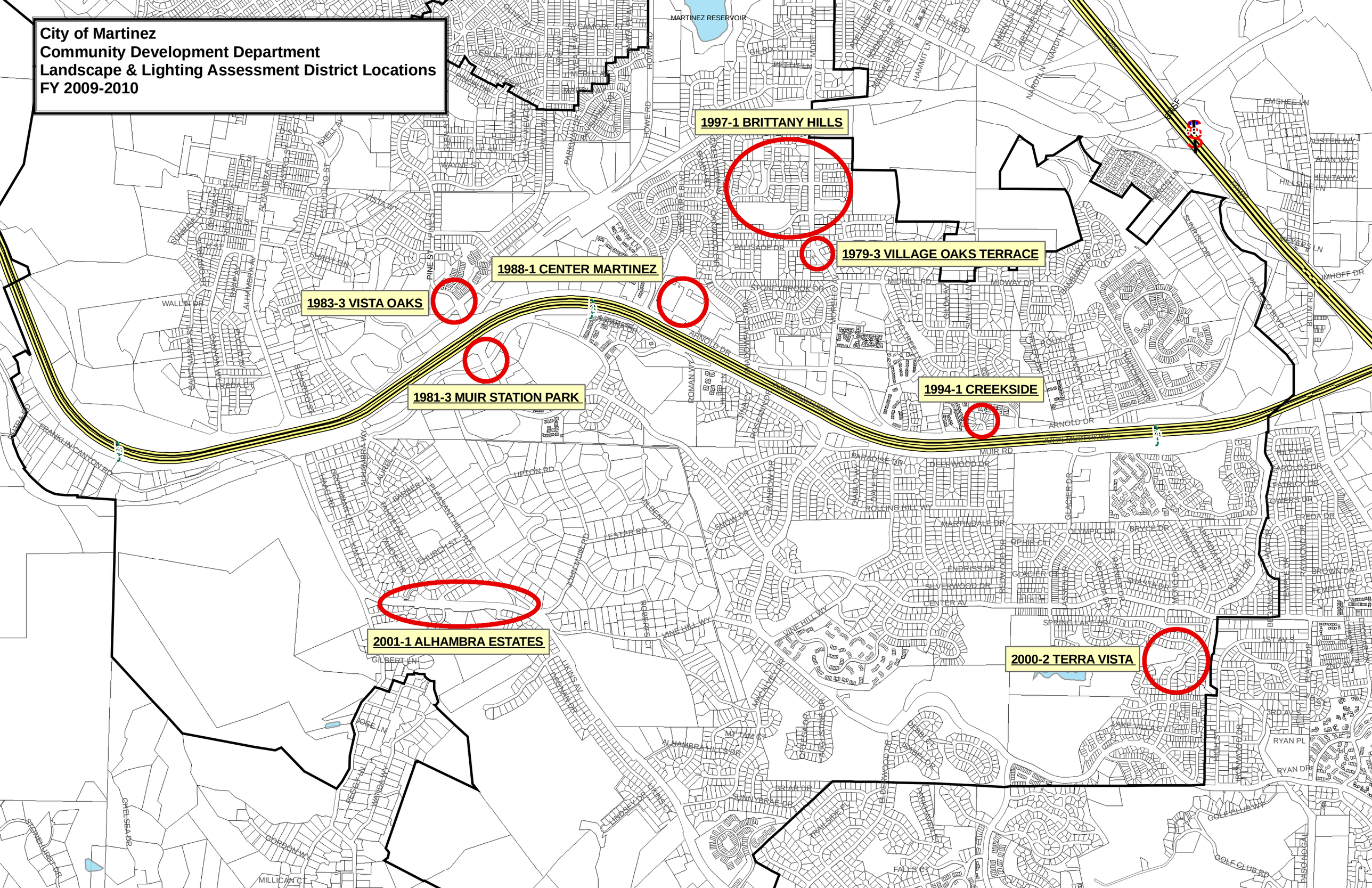
*** * * * * ***

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1st day of April, 2009 by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

City of Martinez
Community Development Department
Landscape & Lighting Assessment District Locations
FY 2009-2010