

RESOLUTION NO. 19-0073

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH PRELIMINARILY APPROVING THE ASSESSMENT ENGINEER'S REPORT AND FIXING THE TIME AND PLACE OF THE PUBLIC HEARING FOR ASSESSMENT DISTRICT NO. 19-12

WHEREAS, by Resolution No. 19-0073 (the "Resolution of Intention") in the proceedings for the formation of Assessment District No. 19-12 (the "Assessment District") this City Council ordered a report (the "Report") prepared by NV5 (the "Assessment Engineer") under and pursuant to the provisions of Article XIID of the California Constitution ("Article XIID") and the Municipal Improvement Act of 1913 (the "1913 Act"), and, in particular, Section 10204 of the California Streets and Highways Code; and

WHEREAS, the Assessment Engineer has prepared the Report and filed the same with the City Clerk, and the City Clerk has presented the Report to this City Council for consideration; and

NOW, THEREFORE, the Council of the City of Manhattan Beach does hereby **RESOLVE**, as follows:

1. Approval of Report. The Report is preliminarily approved, and the City Clerk is directed to endorse the fact and date of such approval on the Report and to file the Report in his or her office. The Report shall stand as the report for the purpose of all subsequent proceedings under the 1913 Act and Article XIID except that it may be conformed, modified, or corrected as provided in the 1913 Act and Article XIID.

2. Legal Findings. Pursuant to Section 2961 of the Streets and Highways Code and based on the information set forth in the Report, this City Council finds that the total amount of the principal sum of all unpaid special assessments levied against the parcels proposed to be assessed, other than contemplated by the present proceedings, plus the principal amount of the special assessment proposed to be levied in the instant proceedings, do not exceed one-half of the total value of the parcels proposed to be assessed, as computed pursuant to paragraph (2) of subdivision (b) of Section 2961.

3. Public Hearing. A public hearing shall be held on October 1, 2019 at 6:00 p.m. at the regular meeting place of the City Council at City Hall Council Chambers, 1400 Highland Avenue, Manhattan Beach, California 90266, to hear and consider protests and objections to the proposed Assessment District and the Report and to receive and count the Property Owner Assessment Ballots for and against the proposed Assessment District.

4. Notice. At least 45 days prior to the public hearing referred to in Section 3 hereof, the City Clerk shall cause a notice of the adoption of the Resolution of Intention,

the filing of the Report and the setting of time and place for the public hearing referred to in Section 3 hereof to be mailed, postage prepaid, to all persons owning real property proposed to be assessed and whose names and addresses appear on the last equalized County of Los Angeles assessment roll or the State Board of Equalization assessment roll, as the case may be, or who are known to the City Clerk. Such notice shall conform in all respects to the provisions of Section 53753 of the California Government Code and Article XIID, Section 4 of the California Constitution.

5. Resolution Effective Immediately. This Resolution shall take effect immediately upon its adoption.

ADOPTED on August 6, 2019.

AYES:

NOES:

ABSENT:

ABSTAIN:

NANCY HERSMAN
Mayor

ATTEST:

LIZA TAMURA
City Clerk