

RESOLUTION NO. _____ (CM)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WATSONVILLE DIRECTING THE FILING OF THE 2023-2024 ANNUAL
ENGINEER'S REPORT FOR THE BAY BREEZE SUBDIVISION
LANDSCAPING AND LIGHTING MAINTENANCE ASSESSMENT
DISTRICT NO. PK-03-02 (LLMAD)**

Assessment District No. PK-03-02

(Pursuant to the Landscaping and Lighting Act of 1972)

WHEREAS, the Bay Breeze Subdivision Landscaping and Lighting Maintenance Assessment District was formed pursuant to the Landscaping and Lighting Act of 1972; and

WHEREAS, on March 25, 2003, the City Council adopted Resolution No. 73-03 (CM), a Resolution of Intention to Order Improvements, Levy and Collect Assessments for the Bay Breeze Subdivision; and

WHEREAS, the improvements to be made in this assessment district are generally described as follows:

- (a) Operate, maintain, repair, and replace the interior streetlights within the Subdivision.
- (b) Maintain and replace the street trees within the District.
- (c) Operate, maintain, repair, and replace the detention basins and detention basin access roads within the District.
- (d) Operate, maintain, repair, and replace the perimeter fencing within the District on its exterior boundaries.
- (e) Maintain and replace the plantings done as a part of the wetland mitigation plan.

(f) Maintain the Environmental Management Open Space parcel to be created inside the District.

(g) Maintain, repair, and replace the pedestrian path within the slough area outside adjacent to the District.

(h) Maintain, repair, and replace the landscaping within the public lands [abutting] and within the District, including the Ohlone Parkway medians.

(i) Operate, maintain, repair, and replace the sewer pump station within the District.

(j) Maintain the graffiti coatings on walls within the District and with public exposure.

(k) Administrative services to operate the District; and

WHEREAS, on June 10, 2003, the City Council adopted Resolution No. 150-03 (CM) ordering the maintenance of improvements and confirming the first annual Engineers Report (including the diagram and assessment) and levying the assessment; and

WHEREAS, Streets and Highways Code Section 22621 requires proceedings to be taken for any fiscal year during which an assessment is to be levied and collected within an existing assessment district; and

WHEREAS, it is anticipated that an assessment will be levied and collected within this Assessment District during fiscal year 2023-2024 in an estimated amount to be determined upon preparation of the Engineer's Report; and

WHEREAS, this Resolution is adopted pursuant to Section 22622 of the California Streets and Highways Code; and

WHEREAS, there are no new improvements and no substantial changes in existing improvements proposed for said Assessment District.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. Adopting a Resolution directing the filing of the 2023-2024 Engineer's Report does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

2. The City Council finds that the foregoing recitals are true and correct.

3. That the Engineer is hereby ordered to prepare and to file the 2023-2024 annual report with the City Clerk for the Bay Breeze Subdivision Landscaping and Lighting Maintenance District in accordance with Article 4 (commencing with Section 22565) of Chapter 1 of the Landscaping and Lighting Act of 1972 of the Street and Highways Code.
