



**CITY OF BIG BEAR LAKE
NOTICE OF PUBLIC HEARING
JUNE 10, 2019**

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE FOR CONSIDERATION OF THE FOLLOWING ITEM:

RESOLUTION NO. 2019-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG BEAR LAKE, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE VILLAGE MAINTENANCE ASSESSMENT DISTRICT NO. 1-92 FOR FISCAL YEAR 2019-20, AND SETTING THE DATE FOR A PUBLIC HEARING ON THIS ACTION

WHEREAS, pursuant to the Landscape and Lighting Act of 1972 (Division 15, Part 2 of the California Streets and Highways Code; the "Act"), the City Council of the City of Big Bear Lake formed Assessment District 23-91 for the purpose of financing the construction of streetscape improvements (the "Village Improvements") in the Village Specific Plan area; and,

WHEREAS, the City Council desires a portion of the revenues for the maintenance of the Village Improvements to be collected from the properties benefiting from the Village Improvements; and,

WHEREAS, the Act authorizes formation of a Landscaping, Lighting, and Maintenance District for, among other things, maintenance of sidewalks, medians, parkways, slopes, open spaces, public parks, and street lights on the basis of benefits received; and,

WHEREAS, on July 1, 1992, the City Council adopted Resolution No. 92-55, which ordered the formation of the City of Big Bear Lake Maintenance District No. 1-92 (Village Streetscape Improvements) pursuant to the Landscaping and Lighting Act of 1972 for the maintenance of the Village improvements; and

WHEREAS, the City Council of the City of Big Bear Lake intends to continue the maintenance and servicing of the improvements and assess the properties within the district the partial costs of the maintenance and servicing; and

WHEREAS, Section 22622 of the Streets and Highways Code, State of California, requires that an Engineer's Report be prepared and filed annually, outlining the assessments to be levied against the properties within the assessment district; and

WHEREAS, Proposition 218, the Right to Vote on Taxes Act, was approved by the voters on November 5, 1996, added Articles XIII C and XIII D to the California Constitution (The Articles) which requires among other things, that beginning July 1, 1997, all existing assessments must be approved by at least 50 percent of the ballots cast by record owners subject to the assessment, with an exception for assessments which are used to operate and maintain streets and sidewalks, provided the assessments are not increased; and

WHEREAS, sidewalks, parkways, medians, open spaces, street trees, streets, street lights, landscaping, furniture and signs, and energy charges for intersection and mid-block lighting are installed, maintained, and operated for street purposes, and continued assessments for these uses do not require a vote provided that the assessments are not increased, except for the cost of living adjustment factor as per the Act and Articles; and

WHEREAS, a cost of living adjustment factor based on the Consumer Price Index (CPI) of 2.5% is applied to the proposed assessment beginning fiscal year 2019-20.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Big Bear Lake as follows:

Section 1. Intention. The City Council hereby declares its intention to order the continuing maintenance and servicing of sidewalks, streets, and street landscaping pursuant to the Landscaping and Lighting Act of 1972, and to continue to levy and collect annual assessments on all such land to pay the partial costs of maintenance and servicing of sidewalks, streets, and street landscaping improvements on the land described in the Engineer's Report.

Section 2. Boundaries. The boundaries of the maintenance district are depicted in the Engineer's Report and include properties fronting on:

Village Drive from Stocker Avenue to a point approximately 1,513 feet westerly to Bonanza Drive, and the east side of Bonanza Drive from Village Drive to a point approximately 100 feet north of Village Drive.

Pine Knot Avenue from Big Bear Boulevard to Cameron Drive.

Section 3. Designation. The maintenance district has been designated and shall be known as "Village Maintenance District No. 1-92 (Village Streetscape Maintenance) of the City of Big Bear Lake, County of San Bernardino, State of California."

Section 4. Report. The Report has been prepared and is on file with the City Clerk and contains all matters required by Article 4 (commencing with Section 22565) of Chapter 1 of Part 2 of Division 15 of the Streets and Highways Code, including (1) a full and detailed description of the improvements, (2) the boundaries of the maintenance district, and the proposed assessments upon assessable lots and parcels of land within the district, and is hereby approved as filed.

Section 5. Hearing. The time of 6:30 p.m. on June 10, 2019, and the meeting place of the Civic Center Hofert Hall, 39707 Big Bear Boulevard, Big Bear Lake, California, are appointed as the time and place of the protest hearing to the proposed maintenance program. Any and all persons having any objections to the proposed maintenance of the Village improvements, or the proposed assessment on the land within the proposed maintenance district, or any parcel thereof, or the extent of the maintenance district may appear and show cause why the maintenance and servicing of the public improvements should not be accomplished in accordance with the Resolution of Intention and the Report. Protests must be in writing and must be delivered to the City Clerk at or before the time set for the hearing.

Section 6. Inquiries. The City Council does hereby designate Robert Hearne, City Engineer, phone (909) 866-5831, as the person to answer inquiries regarding the protest proceedings.

Section 7. Notice. The City Clerk shall give notice of said hearing, and of the adoption of this Resolution of Intention by causing such Resolution of Intention to be published in accordance with Section 6061 of the Government Code in the newspaper of general circulation published and circulated in the City, at least once. Said notice shall be published at least ten (10) days prior to the date set for the hearing of protests.

This resolution shall take effect upon its adoption.

PASSED, APPROVED AND ADOPTED this 13th day of May, 2019.

AYES: Herrick, Caretto, Putz
NOES: None
ABSTAIN: None
ABSENT: Jackowski, Jahn

Signed: Randall Putz, Mayor

Attest: Erica Stephenson, City Clerk

Publish date: Grizzly, May 29