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RESOLUTION NO. 2016-37

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ALBANY, CALIFORNIA,
DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS
FOR
THE OPEN SPACE, RECREATIONAL PLAYFIELD AND CREEK
RESTORATION
ASSESSMENT DISTRICT NO. 1996-1
FOR FISCAL YEAR 2016/17**

The City Council (the "Council") of the City of Albany (the "City") does resolve as follows:

WHEREAS, the Council previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (the "Act") to establish the City's Open Space, Recreational Playfield, and Creek Restoration Assessment District No. 1996-1 (the "Assessment District"); and

WHEREAS, the City has retained NBS for the purpose of assisting with the annual levy of the Assessment District, and the preparation and filing of an Annual Report.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE COUNCIL, AS FOLLOWS:

- 1. Intention:** The Council hereby declares its intention to levy and collect assessments within the Assessment District to pay the costs of the Improvements for the fiscal year commencing July 1, 2016 and ending June 30, 2017. The Council finds that the public's best interest requires such action.

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- 2. **Improvements:** The Improvements include, but are not limited to: acquiring, improving and maintaining open space on Albany Hill; acquiring, improving, developing and maintaining recreational playfields; and restoring creeks to a clean, environmentally healthy condition. The improvements proposed for this fiscal year include, but are not limited to: vegetation management along Cerrito Creek and on Albany Hill and continuation of planning and design associated with the restoration of Codornices Creek.

- 3. **Assessment District Boundaries:** The boundaries of the Assessment District are as shown by the assessment diagram filed in the offices of the City Clerk, which map is made a part hereof by reference.

- 4. **Annual Report:** Reference is made to the Annual Report prepared by NBS, on file with the Clerk, for a full and detailed description of the improvements, the boundaries of the Assessment District and the zones therein, and the proposed assessments upon assessable lots and parcels of land within the Assessment District.

- 5. **Notice of Public Hearing:** The Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments in accordance with Section 22629 of the Act. All objections to the assessment, if any, will be considered by the Council. The Public Hearing will be held on **Tuesday July 5, 2016 at 7:30 pm** or as soon thereafter as is feasible in the Council Chambers located at 1000 San Pablo Avenue, Albany, CA 94706. The Council further orders the Clerk to publish notice of this resolution in accordance with Section 22626 of the Act.

- 6. **Increase of Assessment:** The maximum assessment is not proposed to increase from the previous year above that previously approved by the property owners (as "increased assessment" is defined in Section 54954.6 of the Government Code).



PETER MAASS, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2016-37

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 6th day of June, 2016, by the following votes:

AYES: Council Members Barnes, McQuaid, Nason, Pilch and Mayor Maass

NOES: none

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

7th day of June, 2016.

Eileen Harrington
DEPUTY CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.