DRAFT 5/14/2020 *RB*

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR THE DOWNTOWN PARKING MAINTENANCE DISTRICT FOR FISCAL YEAR 2020/21, AND FOR EACH FISCAL YEAR THEREAFTER AND TO SET DATE AND TIME FOR PUBLIC HEARING ON THE LEVY OF THE PROPOSED ASSESSMENT

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WHEREAS, the City Council created an assessment district known as the Downtown Parking Maintenance District (the "District"), City of Sunnyvale, Santa Clara County, California, which includes all parcels of land, including land owned by the City of Sunnyvale or any other federal, state or local public agency, shown on the map designated "Downtown Parking Maintenance District Assessment Diagram, City of Sunnyvale, County of Santa Clara, State of California," which is on file with the City Clerk; and

WHEREAS, the City Council intends to levy and collect assessments to be used to maintain existing parking facilities pursuant to Streets and Highways Code section 22500 *et seq* and Chapter 14.26 of the Sunnyvale Municipal Code located within the boundaries of Mathilda Avenue, Evelyn Avenue, West Iowa Avenue, Sunnyvale Avenue, McKinley to Carroll Street, including several parcels located east of Carroll Street, as more particularly shown in the diagram and map attached to this Resolution; and

WHEREAS, on July 28, 2009, in response to property owners' ballot approval, the City Council adopted a resolution and confirmed the formation of the District, approved the final Engineer's report, and levied an assessment for FY 2009/10 and for each fiscal year thereafter by adjusting the annual assessment rate based upon previous year's change in the Consumer Price Index (All Urban Consumers, for the San Francisco-Oakland-San Jose area as determined by the U.S. Department of Labor).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1.   Francisco & Associates, the assessment Engineer, has filed with the City Clerk the preliminary Engineer's Report (the "Report") required by Chapter 14.26 of the Sunnyvale Municipal Code, which Report is open to public inspection. The Report includes the total amount of the proposed assessment to the entire district for fiscal year 2020/21, the amount chargeable to the record owner's parcel for that year, the duration of the payments, the reason for the assessment, and the basis upon which the proposed assessment was calculated. All interested persons are referred to that Report for a full and detailed description of the improvements, the boundaries of the assessment district, the assessment zones, and the proposed assessments upon assessable lots and parcels of land within the assessment district.

2.   The City Council hereby approves the Report on file in the office of the City Clerk of the City of Sunnyvale.

3.   The City Council hereby declares its intention to levy and collect an assessment for the Downtown Parking Maintenance District for fiscal year 2020/21.

4.   The City Clerk is authorized and directed to give the notice of hearing required by Article XIII D of the California Constitution, Proposition 218 Omnibus Implementation Act and Streets and Highways Code 22626.

5.   On July 14, 2020, at the hour of 7:00 p.m., the City Council will conduct a public hearing on the levy of the proposed assessment for fiscal year 2020/21 by adjusting the annual assessment rate per deficit parking space with inflation factor based upon previous year's change in the Consumer Price Index (all urban consumers for the San Francisco-Oakland-San Jose Area as determined by the U.S. Department of Labor) until a new voter-approval assessment process is implemented, as authorized by state law. The hearing will be held at the meeting place of the City Council located at City Hall, Council Chambers, 456 West Olive Avenue, Sunnyvale, California.

Adopted by the City Council at a regular meeting held on June 9, 2020, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST: APPROVED:

_____   _____
City Clerk   Mayor
(SEAL)

APPROVED AS TO FORM:

_____

City Attorney