

## MOUNTAINS RECREATION AND CONSERVATION AUTHORITY

July 7, 2004 — Agenda Item XIX

Resolution No. 04-96

### RESOLUTION OF THE GOVERNING BOARD OF THE MOUNTAINS RECREATION AND CONSERVATION AUTHORITY INITIATING PROCEEDINGS FOR AND OF INTENTION TO LEVY ANNUAL MAINTENANCE ASSESSMENTS FOR FISCAL YEAR 2004/2005 AND DIRECTING RELATED ACTIONS FOR THE SANTA MONICA MOUNTAINS OPEN SPACE PRESERVATION ASSESSMENT DISTRICT NO. 2.

*Resolved*, That the Governing Board (the "Board") of the Mountains Recreation and Conservation Authority (the "Authority"); the County of Los Angeles (the "County"), and the State of California, as follows:

1. Authority: The Board has heretofore conducted and completed proceedings for Santa Monica Mountains Open Space Preservation Assessment District No. 2, Los Angeles (the "Assessment District") pursuant to the Municipal Improvement Act of 1913, Division 12 of the California Streets and Highways Code (the "Act") and a Resolution of Intention to Make Acquisitions and Improvements, adopted by this Board on June 24, 2002 (the "Resolution of Intention"), and in such proceedings the Authority made provision for the annual levy of maintenance assessments under Section 10100.8 of the Act.
2. Boundaries: The general location and the boundaries of the Assessment District are shown on Assessment Diagram of the Assessment District filed in the office of the Recorder of the County on August 13, 2003 as Document No. 03-2342865. This map indicates by a boundary line the extent of the territory included in the Assessment District.
3. Maintenance: The maintenance activities (the "Maintenance") to be financed by the Assessment District are described in Exhibit "A" attached hereto and hereby made a part hereof.
4. Intention: It is the intention of this Board to commence the proceedings required to provide for the levy of special assessments for the Assessment District for the captioned fiscal year (the "Fiscal Year") to pay for the maintenance.
5. Engineer's Report: Shilts Consultants, Inc., Fairfield, California, is hereby designated as the Engineer of Work for Assessment District for the preparation of a report showing the estimated costs and apportionment of assessments for the Maintenance for the Fiscal Year (the "Engineer Report"). The Engineer of Work has prepared and has filed the Engineer Report with the Authority. The Engineer's Report has been duly considered by this Board with the aid of Authority staff, and

is hereby deemed sufficient and preliminarily approved and shall stand as the Engineer's Report for all subsequent proceedings for the District. Reference is hereby made to the Engineer's Report for a full and detailed description of the improvements, the boundaries for the Assessment District, and the assessments upon assessable lots and parcels of land within the Assessment District for the Maintenance for the Fiscal Year.

6. Public Hearing: Pursuant to the Act, this Board hereby orders that a public hearing shall be held before this Board, in the regular meeting place thereof, 403 W. Hillcrest Drive, Thousand Oaks, California, on August 4, 2004, at the hour of 3:00 p.m. for the purposes of this Board's final action upon the Engineer's Report and the annual maintenance assessments for the Assessment District. The public hearing may be continued from time to time as determined by the Board upon posted notice only.
7. Published Notice: The Authority Executive Officer is hereby authorized and directed to cause notice of the hearing herein ordered to be given by publication of a copy of this Resolution one time not later than 10 days before the date established herein for the public hearing, which publication shall be made in a newspaper circulated in the Authority and certified for legal publications of the Authority.
8. Information: To get addition information about the maintenance assessments or the Assessment District, contact: Jeanette Hynson, Agent of the Authority, Telephone: (800) 237-5167. The Engineer's Report and other written material about the Assessment District may be reviewed at the Authority's office during regular Authority business hours.

*Resolved*, That the Governing Board of the Mountains Recreation and Conservation Authority, hereby:

1. FINDS that the proposed action is consistent with the Santa Monica Mountains Comprehensive Plan; and
2. FINDS that the proposed action is categorically exempt from the provisions of the California Environmental Quality Act; and
3. ADOPTS the staff report and recommendation dated July 7, 2004; and
4. AUTHORIZES the Executive Officer to do any and all acts necessary to carry out this resolution and any recommendations made by the Governing Board.

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Chairperson

AYES:

NOS:

ABSTAIN:

ABSENT:

I HEREBY CERTIFY that the foregoing resolution was adopted at a regular meeting of the Governing Board of the Mountains Recreation and Conservation Authority, duly noticed and held according to law, on the 7<sup>th</sup> day of July, 2004

Date:

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Executive Officer

**EXHIBIT A**

**SANTA MONICA MOUNTAINS OPEN SPACE PRESERVATION  
ASSESSMENT DISTRICT NO. 2, LOS ANGELES**

DESCRIPTION OF MAINTENANCE

For purposes hereof, "Maintenance" includes, but is not limited to, brush clearing to reduce fire hazards and improve public access, clearance and site preparation, and the maintenance and improvement of trails, foot bridges and other improvements and appurtenances to the Authority's public open space and rights therein (the "Open Space Properties") and all auxiliary work necessary and/or convenient to the accomplishment thereof in accordance with plans, specifications and documents to be approved by the Authority, as required to keep the Open Space Properties in fit operating condition which are ordinarily incurred annually for the Open Space Properties.