

RESOLUTION NO. 2020-**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAREMONT, CALIFORNIA, DIRECTING WILDAN FINANCIAL SERVICES, AS ENGINEER OF RECORD, TO PREPARE AND FILE THE 2020-21 ANNUAL REPORT PERTAINING TO LANDSCAPE AND LIGHTING DISTRICT NO. LL001 (PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972)**

WHEREAS, in March 1990, the City Council of the City of Claremont (the “City”) adopted Landscape and Lighting District No. LL001 pursuant to the Landscaping and Lighting Act of 1972, Part 2 (commencing with § 22500) of Division 15 of the Streets and Highways Code (the “Act”), for the maintenance and servicing of street lighting, street trees, parkways, median islands, and city parks; and

WHEREAS, Landscape and Lighting District No. LL001 qualifies for continued levying under Section 5 of Article XIII D of the California Constitution; and

WHEREAS, the City is required under the Act to follow certain annual procedures for levying assessments; and

WHEREAS, the first step in the procedures is for the City Council to authorize the Engineer to begin work preparing and filing the Annual Report for Landscape and Lighting District LL001; and

WHEREAS, authorizing the preparation of the engineer’s report for the Landscape and Lighting and Assessment District Annual Update is not subject to the California Environmental Quality Act (Pub. Resources Code, Sec. 21000 et seq.) (“CEQA”) pursuant to Sections 15060(c)(2) (the report will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the report is not a project as defined in section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3—the annual assessment is a government funding mechanism, which is excluded from the definition of “project” under Section 15378(b)(4) of the CEQA Guidelines; and

WHEREAS, even if the engineer’s report were a “project” under CEQA, it would be exempt from environmental review pursuant to Section 15273(a)(4) of CEQA Guidelines because the purpose of the annual assessment is to provide a funding mechanism to maintain public landscaping and street lights within the City of Claremont, the costs of which change based on yearly market conditions, and because, pursuant to Section 15306 of the CEQA Guidelines, the report consists of basic data collection, research, and resource evaluation activities that will not result in a serious or major disturbance to an environmental resource; and

WHEREAS, this item is exempt pursuant to CEQA Guideline Section 15061(b)(3)’s “general rule” that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Here, it can be seen with certainty that there is no possibility that this item, in and of itself, will have a significant effect on the environment. The action will simply provide funding to maintain the public

landscaping and streetlights. Therefore, no additional environmental review is necessary at this time.

NOW, THEREFORE, THE CLAREMONT CITY COUNCIL DOES HEREBY RESOLVE:

Section 1. The City Council designates Willdan Financial Services as the Engineer of record for Landscape and Lighting District LL001, and Willdan Financial Services is hereby directed to prepare and file an Annual Report for Landscape and Lighting District LL001 in accordance with the provisions of the Landscape and Lighting Act of 1972.

Section 2. This resolution is adopted pursuant to Section 22622 of the Streets and Highways Code

Section 3. The Mayor shall sign this resolution and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 25th day of February, 2020.

Mayor, City of Claremont

ATTEST:

City Clerk, City of Claremont

APPROVED AS TO FORM:



City Attorney, City of Claremont