



CITY OF BIG BEAR LAKE

Incorporated November 28, 1980

39707 Big Bear Boulevard, Big Bear Lake, CA 92315

Phone: (909) 866-5831 | www.citybigbearlake.com

NOTICE IS HEREBY GIVEN THAT A PUBLIC HEARING HAS BEEN SCHEDULED BEFORE THE CITY COUNCIL ON WEDNESDAY, JUNE 14, 2023, AT 5 P.M., FOR CONSIDERATION OF THE FOLLOWING ITEM:

RESOLUTION NO. 2023-23

RESOLUTION OF INTENT TO LEVY AND COLLECT ASSESSMENTS WITHIN THE VILLAGE MAINTENANCE ASSESSMENT DISTRICT NO. 1-92

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 XIIC and XIID 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, streetlights, landscaping, 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 rate schedule was adopted for the implementation of rate adjustments to the assessments beginning in Fiscal Year 2021-22 and continuing through Fiscal Year 2025-26 pursuant to the following schedule:

Year	FY 20-21	FY 21-22	FY 22-23	FY 23-24	FY 24-25	FY 25-26
Assessment	\$ 18.01	\$ 23.00	\$ 28.00	\$ 33.00	\$ 38.00	\$ 43.00

WHEREAS, the above described assessments were adopted pursuant to a Proposition 218 majority protest process in June 2021 whereby a Resolution of Intent was adopted on May 3, 2021 and a majority protest hearing was scheduled for June 21, 2021; and

WHEREAS, on June 21, 2021 the City Council of the City of Big Bear Lake considered the above described rate schedule for Village Maintenance Assessment District 1-92 and at the time of the hearing determined that a majority protest did not exist; and

WHEREAS, the adopted rate schedule sets the assessment at \$33.00 per linear foot for the assessments of Fiscal Year 2023-24.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Big Bear Lake that:

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 for Fiscal Year 2023-24.

The proposed assessment is not being increased from the previous year pursuant to the meaning established within Government Code section 53753. The proposed assessments are increasing pursuant to an annual increase previously approved by the voters within the assessment district, as outlined above.

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

- (1) 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.

- (2) Pine Knot Avenue from Big Bear Boulevard to Cameron Drive.

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.”
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 (3) the proposed assessments upon assessable lots and parcels of land within the district, and is hereby approved as filed.
5. Hearing: The time of 5:00 p.m. on June 14, 2023, and at the meeting place of the Big Bear Lake Civic Center, Hofert Hall, 39707 Big Bear Boulevard, Big Bear Lake, CA 92315, 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 Intent and the Engineer’s Report. Protests must be in writing and must be delivered to the City Clerk at or before the time set for the hearing.

Wednesday, June 14, 2023 at 5:00 p.m.
Big Bear Lake Civic Center
39707 Big Bear Boulevard
Big Bear Lake, CA 92315

6. Inquiries: The City Council does hereby designate Sean Sullivan, Director of Public Services, phone (909) 866-5831, as the person to answer questions regarding the protest proceedings.
7. Notice: The City Clerk shall give notice of said hearing, and of the adoption of this Resolution of Intent by causing said Resolution of Intent to be published in accordance with Section 6061 of the Government Code in the newspaper of general circulation published and circulated within 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.

Publish Date: May 31, 2023