

Resolution No. _____

Board of Supervisors, County of San Mateo, State of California

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Resolution Forming the Alameda de las Pulgas Street Tree Maintenance District, Levying the Cost of the Maintaining Street Trees As May Be Accepted for Maintenance by Said District as a Charge on the Properties within Said District and Authorizing the Director of Public Works to Finance the Cost of Planting Said Trees with 1/2 Cent Transportation Funds – West Menlo Park Area

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, this Board has the authority pursuant to Section 5101 et. seq. of the State of California Streets and Highways Code to order improvements in public rights-of-way including the planting of trees or other ornamental shrubs; and

WHEREAS, Section 5820 et. seq. of the Streets and Highways Code provides for the formation of maintenance districts to administer the financing and maintenance of improvements that may be constructed, including the maintenance of street trees; and

WHEREAS, this Board, pursuant to Section 5820 et. seq. of the Streets and Highways Code declared its intention to form a maintenance district and have all the maintenance expenses of the district to be a cost to the properties located within said district; and

WHEREAS, an Engineer's Report which contained the proposed assessments for all properties within said district was prepared by the Director of Public Works and the balloting of the property owners within said district was conducted pursuant to Section 53753 et. seq. of the Government Code; and

WHEREAS, the Director of Public Works has reported that 69% of the property owners submitting ballots, as weighted by the amount of the proposed assessments on said properties within said district, approved of being assessed for the maintenance of said trees; and

WHEREAS, the Director of Public Works has recommended that the maintenance district be formed and assessments be levied based on the results of the balloting of the property owners as described above; and

WHEREAS, the Director of Public Works has also recommended that the planting of the trees on the Alameda de las Pulgas within said proposed district be financed with 1/2 Cent Transportation Funds; and

WHEREAS, this Board has considered the recommendations of the Director of Public Works.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that this Board:

1. finds that a majority protest, as defined by Section 53750 et. seq. of the Government Code, objecting to the assessment of costs to maintain street trees along the Alameda de las Pulgas generally between Ashton Avenue and Harkins Avenue, does not exist;
2. establishes the Alameda de las Pulgas Street Tree Maintenance District (District), which shall include the area as shown on Exhibit "A" attached hereto and made a part hereof, for the purposes of maintaining street trees as may be planted along the Alameda de las Pulgas by the Department of Public Works or for the maintenance of other trees as may be

accepted by this Board for maintenance, including trees that may be necessary to replace existing trees;

3. authorizes the levying of the assessments as described in the Engineer's Report which was prepared by the Director of Public Works in conjunction with the balloting by the property owners within said District. Said assessments shall be annualized as determined by the Director of Public Works and collected together with the property taxes over a 20-year period beginning in Fiscal Year 2005-06;
4. authorizes the Director of Public Works to finance the cost of planting street trees as described in said Engineer's Report with 1/2 Cent Transportation Funds.

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