

**RESOLUTION NO. 14-11**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILLBRAE  
PROPOSING TO ESTABLISH THE CITY OF MILLBRAE FIRE SUPPRESSION  
ASSESSMENT, DECLARING ITS INTENTION TO CONDUCT A PROPERTY OWNER  
BALLOTING ON THE MATTER OF THIS ASSESSMENT AND TO LEVY ANNUAL  
ASSESSMENTS COMMENCING IN FISCAL YEAR 2014/15**

**WHEREAS**, the City Council has, by previous Resolution, initiated proceedings for the imposition of a Fire Suppression Assessment pursuant to the provisions of Title 5, Division 1, Part 1, Article 3.6 of the Government Code of California, beginning with Section 50078 (hereinafter referred to as the "Code") that provides for the levy and collection of Fire Suppression Assessments by the County of San Mateo for the City of Millbrae to pay for the purchase, operation and maintenance of fire suppression equipment and the salaries and benefit costs of firefighting personnel; and,

**WHEREAS**, the City Council has retained Harris & Associates for the purpose of assisting with the establishment of the assessments and to assist the City of Millbrae with the Preparation of an Engineer's Report (hereafter referred to as the "Engineer's Report") in accordance with the requirements of the California Constitution, Article XIID.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Millbrae relative to the City of Millbrae Fire Suppression Assessment, pursuant to the Code and the California Constitution, Article XIID, as follows:

1. The City Council hereby declares its intention to seek the annual levy of the Fire Suppression Assessment pursuant to the Code, over and including the land within the City of Millbrae fire service area boundaries, and to levy and collect assessments on all such land to pay the costs of the following: the purchasing of fire suppression equipment and the operation, maintenance, repair, replacement and equipping of such equipment, and the salaries and benefit costs of firefighting personnel.
2. The boundaries of the assessment area are located within the boundaries of the City of Millbrae fire service area.
3. An assessment ballot proceeding is hereby called on behalf of the City on the matter of confirming assessments for any property within the City of Millbrae fire service area subject to a new assessment pursuant to California Constitution Article XIID.

The assessment ballot proceeding on the matter of authorizing the levy of the assessments, pursuant to California Constitution, Article XIID, Section 4 consists of a ballot, included with mailed notice, distributed by first class mail to the property owners of record subject to the proposed assessment. Each property owner's ballot is weighted by the amount of their proposed assessment. Each property owner may return the ballot by mail or in person to the City of Millbrae City Clerk not later than the conclusion of the Public Hearing on the matter on

April 22, 2014. The Public Hearing is scheduled to begin on Tuesday, April 22, 2014, at 7:00 p.m., at the City Council Chambers, 621 Magnolia Avenue, Millbrae, California. At the conclusion of the Public Hearing, the City Clerk or her impartial designee shall tabulate the ballots to determine if a majority protest exists. The ballots shall be weighted according to the proportional financial obligation of each affected property. A majority protest exists if, upon the conclusion of the hearing, weighted ballots submitted in opposition to the assessment exceed the weighted ballots submitted in favor of the assessment.

4. The proposed assessments and a full detailed description of the methodologies for calculating the Assessments are presented in the Engineer's Report, on file in the Office of the City Clerk.

5. The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the City in accordance with California Constitution, Article XIID, Section 4(e).

The City shall give notice of the time, date and place of the Public Hearing by posting a copy of this resolution on the official bulletin board customarily used by the City Council for the posting of notices and by publishing this resolution in a local newspaper. Those properties subject to a new assessment shall be mailed a notice of the Public Hearing and a property owner ballot not less than 45 days before the date of the Public Hearing pursuant to California Constitution, Article XIID. Property owners being balloted for a new assessment must return their ballots to the City Clerk prior to the conclusion of the Public Hearing, after which they will be tabulated. At the Public Hearing, all interested persons shall be permitted to present written and/or oral testimony regarding the proposed assessment.

6. Notice is hereby given that a Public Hearing on the establishment of the City of Millbrae Fire Suppression Assessment will be held by the City Council on Tuesday, April 22, 2014, at 7:00 p.m., or as soon thereafter as feasible in the City Council Chambers, located at 621 Magnolia Avenue, Millbrae, California.

**PASSED AND ADOPTED** this 11th day of February, 2014.

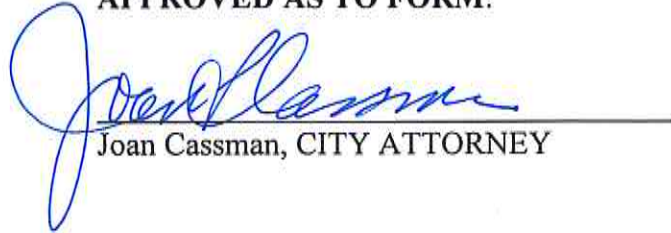


Wayne Lee, MAYOR

**ATTEST:**

  
Angela Louis, CITY CLERK

**APPROVED AS TO FORM:**

  
Joan Cassman, CITY ATTORNEY

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 11<sup>th</sup> day of February 2014, by the following vote:

AYES:	COUNCILMEMBERS:	Lee, Gottschalk, Colapietro, Oliva, and Holober
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
EXCUSED:	COUNCILMEMBERS:	None

  
CITY CLERK