

Santa Clara Valley Open Space Authority

RESOLUTION 22-24

A RESOLUTION DIRECTING PREPARATION OF THE ENGINEER'S REPORT FOR THE OPEN SPACE ACQUISITION AND MAINTENANCE DISTRICT NO.1 OF THE SANTA CLARA VALLEY OPEN SPACE AUTHORITY

RESOLVED, by the Board of Directors (the "Board") of the Santa Clara Valley Open Space Authority (the "District"), County of Santa Clara, State of California, that;

WHEREAS, On July 20, 1994 by its Resolution No. 95-01, this Board ordered the formation of a special assessment district and levied a benefit assessment within the Santa Clara Valley Open Space Authority, Open Space Acquisition and Maintenance District No. 1 (the "Assessment District") pursuant to the Landscaping and Lighting Act of 1972 (the "Act"), Part 2 of Division 15 of the California Streets and Highways Code (commencing with Section 22500 thereof).

WHEREAS, the purpose of the Assessment District is for acquisition, installation, maintenance and servicing those improvements described in Section 4 below.

WHEREAS, Within the Assessment District, the existing and proposed improvements to be undertaken by the Santa Clara Valley Open Space Authority are generally described as acquisition, installation, maintenance and servicing of public facilities, property owned or property rights including, but not limited to, open space lands, greenbelts, hillsides, viewsheds and watersheds, baylands, riparian corridors, urban open space, agricultural lands, development rights on agricultural lands and other land-use types, conservation easements, other property rights, wetlands, utility right-of-ways, surplus school sites, quarries, benches, signage, fencing, fire breaks, picnic areas, restrooms, trails, lighting and foot bridges for property owned, encumbered by rights or maintained by the Santa Clara Valley Open Space Authority or owned, encumbered by rights or maintained by local agencies within the boundaries of the Assessment District that participate with the Authority for open space acquisition, maintenance and servicing.

As applied herein, "Maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of any improvement, including repair, removal or replacement of all or any part of any improvement; providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury; the removal of trimmings, rubbish, debris, and other solid waste, and the cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

"Servicing" means the furnishing of electric current, or energy, gas or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements; or water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

WHEREAS, SCI Consulting Group is hereby designated as Engineer of Work for purposes of these proceedings and is hereby ordered to prepare an Engineer's Report in accordance with Article 4 of Chapter 1 of the Act. Upon completion, the Engineer shall file the Engineer's Report with the Clerk of the

Santa Clara Valley Open Space Authority

Governing Board and the General Manager shall then submit it to the Governing Board for its review and consideration in accordance with California Streets and Highways Code Section 22623 and Section 22624.

NOW, THEREFORE, BE IT RESOLVED, The Clerk of the Board shall certify the adoption of this Resolution directing SCI Consulting Group to prepare the Preliminary Engineer's Report for Open Space Acquisition and Maintenance District No. 1. This resolution shall take effect upon adoption.

PASSED AND ADOPTED this 10th day of March 2022 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Kalvin Gill, Chairperson
Santa Clara Valley Open Space Authority

APPROVED AS TO FORM:

ATTEST:

William Parkin, Legal Counsel

Kellie Guerra, Clerk of the Board