

RESOLUTION NO. 2017-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, CONFIRMING A DIAGRAM AND ASSESSMENT AND PROVIDING FOR ANNUAL ASSESSMENT LEVY AFTER FORMATION OF A DISTRICT FISCAL YEAR 2017-18 FOR THE CITYWIDE LLMD

Whereas, the City Council (Council) of the City of Lake Elsinore (City), California, has initiated proceedings for the annual levy of the assessments for a landscaping and street lighting district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Part 2 of Division 15 of the Streets and Highways Code of the State of California, in a district known and designated as; and,

Whereas, the Council has ordered the preparation of a report and the City District Engineer has prepared and filed with Council a report pursuant to law for its consideration and subsequently thereto this Council did adopt its Resolution of Intention to levy and collect assessments for the next ensuing Fiscal Year relating to the above referenced District, and further did proceed to give notice of the time and place for a Public Hearing on all matters relating to said annual levy of the proposed assessment; and,

Whereas, at this time, this Council has heard all testimony and evidence and is desirous of proceeding with said annual levy of assessments.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. That the above recitals are all true and correct.

Section 2. That upon the conclusion of the Public Hearing, written protests filed, and not withdrawn, did not represent property owners owning more than fifty percent (50%) of the area of assessable lands within the District, and all protests are overruled and denied.

Section 3. That this City Council hereby confirms the diagram and assessment as submitted and order the annual levy of the assessment for the Fiscal Year and in the amounts as set forth in the Engineer's Report and as referred to in the Resolution of Intention as previously adopted relating to said annual assessment levy.

Section 4. That the diagram and assessment as set forth and contained in said Report are hereby confirmed and adopted by this City Council.

Section 5. That the adoption of this Resolution constitutes the levy of the assessment for the Fiscal Year.

Section 6. That the estimates of costs, the assessment diagram, the assessments and all other matters, as set forth in Engineer's "Report", pursuant to said "Landscaping and Lighting Act of 1972", as submitted, are hereby approved, adopted by this City Council and hereby confirmed.

Section 7. That the maintenance works of improvements contemplated by the Resolution of Intention shall be performed pursuant to law and the County Auditor shall enter on the County Assessment Roll the amount of the Assessment and said assessment shall then be collected at the same time and in the same manner as the County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City.

Section 8. That the City has previously established a special fund known as the

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CITYWIDE LANDSCAPING & STREET LIGHTING DISTRICT**

into which the City shall place all monies collected by the Tax Collector pursuant to the provisions of the Resolution and law and said transfer shall be made and accomplished as soon as said monies have been made available to said City.

Section 9. That the City Clerk is hereby ordered and directed to file a certified copy of the diagram and assessment roll with the County Auditor, together with a certified copy of this Resolution upon its adoption.

Section 10. That a certified copy of the assessment and diagram shall be filed in the office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk and open for public inspection.

Passed and Adopted at a Regular meeting of the City Council of the City of Lake Elsinore, California, this 27th day of June, 2017.

Robert E. Magee,
Mayor

Attest:

Susan M. Domen, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)ss.
CITY OF LAKE ELSINORE)

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2017-_____ was adopted by the City Council of the City of Lake Elsinore, California, at a Regular meeting held on the 27th day of June 2017, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Susan M. Domen, MMC
City Clerk