

**RESOLUTION NO. 2020-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR AN ANNUAL LEVY AND COLLECTION OF ASSESSMENTS FOR CERTAIN MAINTENANCE IN AN EXISTING DISTRICT, PURSUANT TO THE PROVISIONS OF DIVISION 15, PART 2 OF THE STREETS AND HIGHWAYS CODE OF THE STATE OF CALIFORNIA, AND SETTING A TIME AND PLACE FOR THE PUBLIC HEARING THEREON.**

**Whereas**, the City Council of the City of Lake Elsinore, California, has previously formed a landscaping and street lighting district pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California, in that is known and designated as City of Lake Elsinore Landscaping & Street Lighting Maintenance District No. 1 (herein after referred to as the "District"); and,

**Whereas**, at this time, this City Council desires to take proceedings to provide for the annual levy of assessments for the next ensuing fiscal year, to provide for the costs and expenses necessary for continual maintenance of those improvements exempt pursuant to California Constitution Article XIID within said District; and,

**Whereas**, at this time there has been presented and approved by this City Council, the Engineer's Report as required by law, and this City Council desires to move forward with the proceedings for said annual levy.

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

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

**Section 2.** That the public interest and convenience requires, and it is the intention of this City Council, to undertake proceedings for the annual levy and collection of special assessments for the continual maintenance of certain improvements, all to serve and benefit said District as said area is shown and delineated on a map previously approved by this City Council and on file in the Office of the City Clerk, open to public inspection, and therein so referenced and made a part hereof, and proposed changes thereto are set forth in the Report of the Engineer, incorporated herein as a part hereof.

**Section 3.** That the Report of the Engineer regarding the annual levy for said District, which Report is for maintenance for the Fiscal Year 2020-21 is hereby approved and is directed to be filed in the Office of the City Clerk.

**Section 4.** That the public interest and convenience requires, and it is the intention of this City Council, to order the annual assessment levy for the District as set forth and described in said Engineer's Report and further it is determined to be in the best public interest and convenience to levy and collect annual assessments to pay the costs and expenses of said maintenance and improvements as estimated in said Report.

**Section 5.** The assessments levied and collected shall be for the maintenance of certain street lighting and landscaping improvements, as set forth in the Engineer's Report, referenced and so incorporated herein.

**Section 6.** The County Auditor shall enter on the County Assessment Roll the amount of the assessments and shall collect said assessments at the time and in the same manner as County taxes are collected. After collection by the County, the net amount of the assessments, after the deduction of any compensation due to the County for collection, shall be paid to the Treasurer for purposes of paying for the costs and expenses of said District.

**Section 7.** That all monies collected shall be deposited in a special fund known as "**SPECIAL FUND, CITY OF LAKE ELSINORE LANDSCAPING & STREET LIGHTING MAINTENANCE DISTRICT NO. 1**". Payment shall be made out of said fund only for the purposes provided for in this Resolution, and in order to expedite the making of this maintenance and improvements, the City Council may transfer into said funds as it may deem necessary to expedite the proceedings. Any funds shall be repaid out of the proceeds of the assessments provided for in this Resolution.

**Section 8.** Said contemplated maintenance work has been determined previously, in the opinion of this City Council, to be exempt from the provisions of California Constitution Article XIID, and further of direct benefit to the properties within the boundaries of the District, and this City Council hereby declares to be the district benefited by said improvements and maintenance, and to be further assessed to pay the costs and expenses thereof. Said District shall include each and every parcel of land within the boundaries of said District, as said District is shown on a map as approved by this City Council and on file in the Office of the City Clerk and so designated by the name of the District.

**Section 9.** Pursuant to Article XIID of the California State Constitution, any lots or parcels of land known as public property, as the same are defined in Section 22663 of Division 15, Part 2 of the Streets and Highways Code of the State of California, which are included within the boundaries of the District, shall be assessed based on the special benefit each such parcel receives, as shown in the Engineer's Report.

**Section 10.** NOTICE IS HEREBY GIVEN THAT TUESDAY, THE 23RD DAY OF JUNE 2020, AT THE HOUR OF 7:00 O'CLOCK P.M. IN THE CITY COUNCIL CHAMBERS LOCATED AT THE CULTURAL CENTER, 183 N. MAIN STREET, LAKE ELSINORE, IS THE TIME AND PLACE FIXED BY THIS CITY COUNCIL FOR THE HEARING OF PROTESTS OR OBJECTIONS IN REFERENCE TO THE ANNUAL LEVY OF ASSESSMENTS, TO THE EXTENT OF THE MAINTENANCE, AND ANY OTHER MATTERS CONTAINED IN THIS RESOLUTION BY THOSE PROPERTY OWNERS AFFECTED HEREBY. ANY PERSONS WHO WISH TO OBJECT TO THE PROCEEDINGS FOR THE ANNUAL LEVY SHOULD FILE A WRITTEN PROTEST WITH THE CITY CLERK PRIOR TO THE TIME SET AND SCHEDULED FOR SAID PUBLIC HEARING.

**Section 11.** That the City Clerk is hereby authorized and directed to publish, pursuant to Government Code Section 6061, the Resolution of Intention as notice of the Public Hearing in the Riverside Press-Enterprise, a newspaper of general circulation within said City, said publication to be not less than ten (10) days before the date set for said Public Hearing.

**Section 12.** That the City Clerk is further directed to cause a copy of the Resolution of Intention and said notice to be posted upon the official bulletin board customarily used for the posting of notices.

**Section 13.** That this Resolution shall take effect immediately upon its adoption.

**Section 14.** For any and all information relating to the proceedings, protest procedure, any documentation and/or information of a procedural or technical nature, your attention is directed to the below listed person at the local agency or department so designated: Director of Administrative Services, City of Lake Elsinore, 130 South Main Street, Lake Elsinore, CA 92530.

**Passed and Adopted** at a meeting of the City Council of the City of Lake Elsinore, California, on the 12th day of May 2020.

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Brian Tisdale, Mayor

ATTEST:

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Candice Alvarez, MMC  
City Clerk

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

I, Candice Alvarez, City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2020-\_\_\_\_ was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on the 12th day of May 2020, and that the same was adopted by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Candice Alvarez, MMC  
City Clerk