RESOLUTION NO. R-21-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLTON, CALIFORNIA, DECLARING ITS INTENTION FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE COLTON LANDSCAPE AND LIGHTING MAINTENANCE ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2012/2013.

WHEREAS, the City of Colton is a municipal corporation duly organized and existing pursuant to the Constitution and laws of the State of California ("City");

WHEREAS, the City Council has by previous Resolutions formed the Colton Landscape and Lighting Maintenance Assessment District No. 1 (hereafter referred to as the "District"), and initiated proceedings for Fiscal Year 2012/2013, pursuant to the provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with section 22500) (hereafter referred to as the "Act") that provides for the levy and collection of assessments by the County of San Bernardino for the City of Colton to pay the maintenance and services of all improvements and facilities related thereto;

WHEREAS, all assessments for the District were previously approved in accordance with the requirements of the California State Constitution, Article XIIID; and,

WHEREAS, the City Council has retained Willdan Financial Services for the purpose of assisting with the Annual Levy of the District, and to prepare and file an Engineer's Report with the City Clerk in accordance with the Act; and,

WHEREAS, the Engineer's Report for Fiscal Year 2012/2013 has been filed with the City Clerk, presented to the City Council and approved by the City Council, as required by Chapter 3 Sections 22623 and 22624 of said act.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, PURSUANT TO CHAPTER 3, SECTION 22624 OF THE ACT, AS FOLLOWS:

1. The above recitals are true and correct.

2. Intention: The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs and expenses of the improvements and services described in Section 4 of this Resolution, for Fiscal Year 2012/2013.

3. Boundaries and Designation: The description of the District boundary and the Zones therein are outlined in the Engineer's Report and by reference made part of this Resolution. The District consists of five (5) Benefit Zones. The District is designated as "Colton Landscape and Lighting Maintenance Assessment District No. 1."

4. Description of Improvements: The improvements within the District include but are not limited to: turf, ground cover, shrubs, trees, irrigation systems, ornamental lighting, entry monuments, drainage systems, and associated appurtenances. The Engineer's Report describes all new improvements or substantial changes in existing improvements.

5. Proposed Assessment Amounts: The proposed district assessments are within the limits previously approved by the property owners. The assessments outlined in the Engineer's Report have not been increased over the maximum rates approved by the property owners, and do not require additional property owner approval in accordance with the requirements of the California Constitution, Articles XIIIC and XIIID.

6. Public Hearing(s): The City Council hereby declares its intention to conduct a Public Hearing concerning the levy of assessments for the District in accordance with *Chapter 3, Section 22626* of the Act.

7. Notice: The City shall give notice of the time and place of the Public Hearing to all property owners within the District by causing the publishing of this Resolution once in the local newspaper not less than ten (10) days before the date of the public hearing, and by posting a copy of this resolution on the official bulletin board customarily used by the Council for the posting of notices.

8. Notice Of Public Hearing: Notice is hereby given that a Public Hearing on these matters will be held by the City Council on July 17, 2012 at 6:00 pm, or as soon thereafter as feasible in the Council Chambers at City Hall, 650 North La Cadena Drive, Colton, CA.

9. The City Clerk is hereby authorized and directed to give notice of such hearing as provided by law.

10. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the same in the book of original Resolutions of said City; and shall make a minute of passage and adoption thereof in the records of the proceedings of the City Council of said City, in the minutes of the meeting at which Resolution is passed and adopted.

PASSED, APPROVED AND ADOPTED THIS 19th DAY OF JUNE 2012.

SARAH S. ZAMORA
Mayor

ATTEST:

EILEEN C. GOMEZ, CMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF COLTON)

I, EILEEN C. GOMEZ, City Clerk of the City of Colton, California, do hereby certify that the foregoing is a full, true and correct copy of **RESOLUTION NO. R-21-12**, duly adopted by the City Council of said City, and approved by the Mayor of said City, at its Regular Meeting of said City Council held on the **19th day of June, 2012**, and that it was adopted by the following vote, to wit:

AYES:	COUNCILMEMBER	Toro, Gonzales, Yzaguirre, Oliva, Bennett, Perez, and Mayor Zamora
NOES:	COUNCILMEMBER	None
ABSTAIN:	COUNCILMEMBER	None
ABSENT:	COUNCILMEMBER	None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Colton, California, this _____day of _____, _____.

_____
EILEEN C. GOMEZ, CMC
City Clerk
City of Colton

(SEAL)