

RESOLUTION NO. R-39-14

**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. 2 FOR FISCAL YEAR 2014/2015.**

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

**WHEREAS**, the City Council has by previous Resolutions formed the Colton Landscape and Lighting Maintenance Assessment District No. 2 (“District”), and initiated proceedings for Fiscal Year 2014/2015, 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) (“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 XIID; 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 the Engineer’s Annual Levy Report (“Engineer’s Report”) with the City Clerk in accordance with the Act; and,

**WHEREAS**, the Engineer’s Report for Fiscal Year 2014/2015 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:**

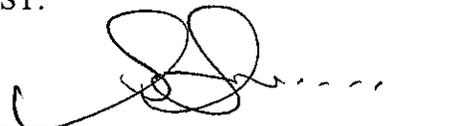
1. The above recitals are true and correct.
2. Intention: The City Council hereby declares its intention to seek the annual levy and collection of assessments within the District pursuant to the Act, over and including the land within the District boundary, and to levy and collect assessments on all such land to pay the annual costs and expenses of the improvements and services described in Section 4 of this Resolution, for Fiscal Year 2014/2015.
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 two (2) Benefit Zones. The District is designated as “Colton Landscape and Lighting Maintenance Assessment District No. 2.”

- 1 4. Description of Improvements: The improvements within the District include but are not  
2 limited to: turf, ground cover, shrubs, trees, irrigation systems, ornamental lighting, entry  
3 monuments, drainage systems, and associated appurtenances. The Engineer's Report  
4 describes all new improvements or substantial changes in existing improvements.
- 5 5. Proposed Assessment Amounts: The proposed district assessments are within the limits  
6 previously approved by the property owners. The assessments outlined in the Engineer's  
7 Report have not been increased over the maximum rates approved by the property owners,  
8 and do not require additional property owner approval in accordance with the requirements  
9 of the California Constitution, Articles XIIC and XIID.
- 10 6. Public Hearing(s): The City Council hereby declares its intention to conduct a Public  
11 Hearing concerning the levy of assessments for the District in accordance with *Chapter 3,*  
12 *Section 22626* of the Act.
- 13 7. Notice: The City shall give notice of the time and place of the Public Hearing to all  
14 property owners within the District by causing the publishing of this Resolution once in the  
15 local newspaper not less than ten (10) days before the date of the public hearing, and by  
16 posting a copy of this resolution on the official bulletin board customarily used by the  
17 Council for the posting of notices.
- 18 8. Notice Of Public Hearing: Notice is hereby given that a Public Hearing on these matters  
19 will be held by the City Council on June 17, 2014 at 6:00 pm, or as soon thereafter as  
20 feasible in the Council Chambers at City Hall, 650 North La Cadena Drive, Colton, CA.
- 21 9. The City Clerk is hereby authorized and directed to give notice of such hearing as provided  
22 by law.
- 23 10. That the City Clerk shall certify to the passage and adoption of this Resolution; shall enter the  
24 same in the book of original Resolutions of said City; and shall make a minute of passage and  
25 adoption thereof in the records of the proceedings of the City Council of said City, in the  
26 minutes of the meeting at which Resolution is passed and adopted.

27 **PASSED, APPROVED AND ADOPTED** this 22<sup>nd</sup> day of May 2014.

28   
SARAH S. ZAMORA  
Mayor

ATTEST:

  
SABDI SANCHEZ  
Chief Deputy City Clerk

1     **STATE OF CALIFORNIA**                     )  
2     **COUNTY OF SAN BERNARDINO**         ) ss  
3     **CITY OF COLTON**                         )

4   **CERTIFICATION**

5             **I, SABDI SANCHEZ**, Chief Deputy City Clerk of the City of Colton, California,  
6 do hereby certify that the foregoing is a full, true and correct copy of **RESOLUTION**  
7 **NO. R-39-14**, duly adopted by the City Council of said City, and approved by the Mayor  
8 of said City, at its Adjourned Regular Meeting of said City Council held on the **22<sup>nd</sup> day**  
9 **of May, 2014**, and that it was adopted by the following vote, to wit:

10 <b>AYES:</b>	<b>COUNCILMEMBER</b>	Toro, Gonzales, Navarro, Oliva, Bennett, Suchil and Mayor Zamora
11		
12 <b>NOES:</b>	<b>COUNCILMEMBER</b>	None
13		
14 <b>ABSTAIN:</b>	<b>COUNCILMEMBER</b>	None
15 <b>ABSENT:</b>	<b>COUNCILMEMBER</b>	None

16             **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official  
17 seal of the City of Colton, California, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

18  
19  
20  
21 \_\_\_\_\_  
22 **SABDI SANCHEZ**  
23 Chief Deputy City Clerk  
24 City of Colton

25  
26  
27  
28  
(SEAL)