

RESOLUTION NO. 2017-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, CONFIRMING THE ASSESSMENT DISTRICT DIAGRAMS, ZONE BOUNDARIES AND ASSESSMENTS FOR THE LEVY OF 2017-18 ASSESSMENTS FOR THE CONSOLIDATED CITYWIDE STREET LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT

WHEREAS, the City Council has initiated proceedings, as set forth herein, for the annual levy of the assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District pursuant to the terms and provisions of the "Landscaping and Lighting Act of 1972," Part 2 of Division 15, of the Streets and Highways Code of the State of California, in the District known and designated as the Consolidated Citywide Street Lighting and Landscaping Maintenance District;

WHEREAS, on April 17, 2017, the City Council initiated proceedings for the annual levy of Fiscal Year 2017-18 assessments for the Consolidated Citywide Street Lighting and Landscaping District by adopting Resolution No. 2017-50 authorizing Harris and Associates as the Engineer of Record and ordering the preparation of the Annual Engineer's Report pursuant to provisions of the "Landscaping and Lighting Act of 1972," Provisions of Division 15, Part 2 of the California Streets and Highways Code;

WHEREAS, on June 19, 2017, the City Council adopted Resolution No. 2017-86 approving the Engineer's Report for Consolidated Citywide Street Lighting and Landscaping Maintenance District for Fiscal Year 2017-18 and declaring the City's intention to annex sixty-two (62) additional parcels, levy Annual Assessments, and set July 10, 2017 as the Public Hearing date to consider such action;

WHEREAS, on July 10, 2017, the City Council adopted Resolution No. 2017-101 to re-set the Public Hearing date to August 7, 2017;

WHEREAS, as required, pursuant to California Streets and Highways Code §22552, 22553 and 22626(a) and Government Code §6061, the Resolution of Intention setting the public hearing concerning the Levy of Fiscal Year 2017-18 Assessments for the Consolidated Citywide Street Lighting and Landscaping Maintenance District was published in the Inland Valley Daily Bulletin on July 24, 2017; and

WHEREAS, a Public Hearing was conducted on August 7, 2017, at which time the City Council heard all testimony and evidence and wishes to proceed with confirming the Assessment District Diagrams and assessments amounts and the levy of assessments for Fiscal Year 2017-18.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Pomona, California, as follows:

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

SECTION 2. That upon the conclusion of the Public Hearing, protests filed and not withdrawn, did not represent property owners being obligated for more than fifty percent (50%) of the total assessments within the Consolidated Citywide Landscaping and Streetlighting Maintenance Assessment District (“Assessment District”).

SECTION 3. That the City Council hereby confirms the Assessment District Diagrams, including the zone boundaries, and the Fiscal Year 2017-18 assessments set forth and referenced in the Engineer’s Report.

SECTION 4. That, as reflected in the Engineer’s Report approved by the City Council on June 19, 2017, there are no adjustments or increases to the assessment formulas for the Fiscal Year 2017-18 Assessment District.

SECTION 4. That the City Council hereby orders the levy of Fiscal Year 2017-18 Assessments in the amounts set forth in the Engineer's Report approved on June 19, 2017 and file in the Office of the City Clerk and as referenced in the Resolution of Intention, Resolution No. 2017-86, regarding the levy of the annual assessments.

SECTION 5. That the adoption of this Resolution authorizes the levy of the assessments for Fiscal Year 2017-2018.

SECTION 6. That the estimate of costs, zone boundaries, assessments and all other matters, as set forth in the Engineer's Report, pursuant to said Landscaping and Lighting Act of 1972, as submitted, are hereby confirmed, approved and adopted by the City Council.

SECTION 7. That the maintenance work and improvements contemplated in the Engineer’s Report and 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 County taxes are collected. After collection by said County, the net amount of the assessment shall be paid to the City Treasurer.

SECTION 8. That the City Treasurer has established a special revenue fund for the Consolidated Citywide Street Lighting and Landscaping Maintenance District, into which the City Treasurer shall place all monies collected by the Tax Collector pursuant to the provisions of this Resolution and law, including any surplus amounts in those funds established for the existing Consolidated Maintenance Districts and said transfer shall be made and accomplished as soon as said monies have been made available to said City Treasurer.

SECTION 9. The City Clerk shall attest and certify to the passage and adoption of this Resolution and it shall become effective immediately upon its approval.

SECTION 10. A certified copy of this resolution, the approved Assessment District Diagrams and Fiscal Year 2017-18 Assessment Roll shall be filed with the Los Angeles County Tax Assessor no later than August 8, 2017.

SECTION 11. That a certified copy of the Assessment Roll and Assessment District Diagrams shall be filed in the Office of the City Engineer, with a duplicate copy on file in the Office of the City Clerk open for public inspection.

APPROVED AND ADOPTED THIS 7TH DAY OF AUGUST 2017.

ATTEST:

CITY OF POMONA:

Eva M. Buice, MMC, City Clerk

Tim Sandoval, Mayor

APPROVED AS TO FORM:

Arnold Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF POMONA

I, EVA M. BUICE, MMC, CITY CLERK of the City of Pomona do hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Pomona held on the 7th day of August 2017 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:
ABSTAIN: COUNCILMEMBERS:

Eva M. Buice, MMC, City Clerk