

**RESOLUTION NO. 2017-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, FOR APPROVAL OF THE ANNUAL ENGINEER'S REPORT REGARDING THE PROPOSED LEVY AND COLLECTION OF ASSESSMENTS FOR THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO 1, FISCAL YEAR 2017-18**

**WHEREAS**, the City Council has by previous Resolutions formed and levied annual assessments for Landscape and Lighting Maintenance District No. 1 (hereinafter referred to as the "District"), pursuant to the terms and provisions of the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (Section 22500 *et seq.*) (the "Act"), and Articles XIII C and XIII D of the Constitution of the State of California (together, the "Constitution") (the Act and the Constitution are referred to collectively as the "Assessment Law"), that provide for the levy and collection of assessments by the County of Riverside for the City of Desert Hot Springs to pay for the maintenance of all improvements and facilities and services related thereto; and

**WHEREAS**, the City Council has retained Albert A. Webb Associates, for the purpose of assisting with the annual levy and assessments for the District, and to prepare and file a report with the City Clerk in accordance with the Assessment Law; and

**WHEREAS**, Albert A. Webb has prepared a preliminary Engineer's Report ("Report") generally containing the following:

- A. A Description of the District Improvements; and
- B. The Annual Budget (Costs and Expenses of Services, Operations and Maintenance); and
- C. The Assessment Roll containing the Fiscal Year 2017-18 Levy for each Assessor's Parcel within the District.

**NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:**

**Section 1.     Recitals**

That the above recitals set forth above are true and correct.

**Section 2.     Approval of Annual Engineer's Report**

That the City Council hereby approve the Report.

**Section 3.     Acknowledgement of Filing of Report**

That the City Council hereby acknowledges that upon completion of the preparation of the "Report," the original Report shall be filed with the City Clerk in accordance with the Assessment Law.

**Section 4. Severability**

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason if any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

**Section 5. Effective Date**

That this Resolution shall take effect upon its adoption.

**Section 6. Certification**

That the City Clerk shall certify as to the adoption of this Resolution and shall cause the same to be processed in the manner required by law.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the sixteenth day of May, 2017 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**RECUSED:**

[SIGNATURES FOLLOW ON THE NEXT PAGE]

**ATTEST:**

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Jerryl Soriano, CMC, City Clerk

**APPROVED:**

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Scott Matas, Mayor

**APPROVED AS TO FORM:**

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Jennifer Mizrahi, City Attorney

### **CERTIFICATE OF CLERK**

I, Jerryl Soriano, City Clerk of the City of Desert Hot Springs, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted at a regular meeting of the City Council of the City of Desert Hot Springs duly and regularly held at the regular meeting place thereof on May 16, 2017, of which meeting all of the members of said City Council had due notice, and at said meeting said resolution was adopted by the following vote:

AYES:

NOES:

ABSENT:

RECUSED:

I do hereby further certify that an agenda of said meeting was posted at least 72 hours before said meeting at 65950 Pierson Boulevard, Desert Hot Springs, CA 92240, a location freely accessible to members of the public, and a brief description of said resolution appeared on said agenda.

I do hereby further certify that I have carefully compared the foregoing copy with the original minutes of said meeting on file and of record in my office; that said copy is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and that said resolution has not been amended, modified, rescinded or revoked in any manner since the date of its adoption, and the same is now in full force and effect.

Dated: May 16, 2017

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City Clerk of the City of Desert Hot Springs

[SEAL]