

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 DRAINAGE ASSESSMENT DISTRICT NO 1, FISCAL YEAR 2017-18

WHEREAS, the City Council has by previous Resolutions formed and levied annual assessments for Drainage Assessment District No. 1 (hereinafter referred to as the "District"), pursuant to the terms and provisions of the Benefit Assessment Act of 1982, Chapter 6.4 Division 2, Title 5 of the California Government Code (Section 54703 *et seq.*) (the "1982 Act"), Article XIID of the Constitution of the State of California ("Article XIID") and the Proposition 218 Omnibus Implementing Act (Government Code 53750 *et seq.*) (the "Implementation Act") (the 1982 Act, Article XIID and the Implementation Act 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 Associates has prepared a preliminary Engineer's Report ("Report") generally containing the following:

- A. Plans and specifications describing the general nature, location and extent of the improvements to be maintained; and
- B. An estimate of the cost of the maintenance and/or servicing of the improvements for the District for Fiscal Year 2017-18; and
- C. A diagram for the District, showing the area and properties proposed to be assessed; and
- D. An assessment of the estimated costs of the maintenance and/or servicing, assessing the net amount upon all assessable lots and/or parcels within the District in proportion to the benefits received.

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL, 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 acknowledge 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 sixth day of June, 2017 by the following vote:

AYES:

NAYS:

ABSENT:

RECUSED:

[SIGNATURES FOLLOW ON THE NEXT PAGE]

ATTEST:

Jerryl Soriano, CMC, City Clerk

APPROVED:

Scott Matas, Mayor

APPROVED AS TO FORM:

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 June 6, 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: June 6, 2017

City Clerk of the City of Desert Hot Springs

[SEAL]