

RESOLUTION NO. 2019-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, INITIATING PROCEEDINGS FOR
THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE DESERT HOT SPRINGS
LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 2 FOR FISCAL YEAR
2019-20**

WHEREAS, the City Council has by previous resolutions formed and levied annual assessments for the Desert Hot Springs Landscape and Lighting Maintenance District No. 2 (hereafter sometimes referred to as the "District"), pursuant to the provisions of the Landscape 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"), 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 provides for the levy and collection of assessments by the County of Riverside for the City of Desert Hot Springs to pay the maintenance and services of all improvements and facilities related thereto; and

WHEREAS, the City Council has retained Webb Municipal Finance, LLC for the purpose of assisting with the Annual Levy of the District, and to prepare and file a report with the City Clerk in accordance with the Assessment Law.

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

Section 1. Recitals

That the Recitals set forth above are true and correct.

Section 2. Annual Levy Report

That the City Council hereby orders Webb Municipal Finance, LLC, to prepare and file with the City Clerk the Engineer's Annual Levy Report concerning the levy and collection of assessments for the District for the Fiscal Year commencing July 1, 2019 and ending June 30, 2020 in accordance with the Assessment Law.

Section 3. District Improvements

That the maintenance of improvements within Landscape and Lighting Maintenance District No. 2, Zones 1 through 15, 17 and 18, shall include, but shall not be limited to, trees, sidewalks, parkways, landscaped slopes and park facilities, and the operation and maintenance of the street lighting system within the District and appurtenant facilities. Services provided include all necessary services, operation, administration and maintenance required to keep the improvements and facilities in a healthy, vigorous and satisfactory working condition.

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 of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of the 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.

Section 7. Repeal of Conflicting Resolutions

That the City Council hereby repeals any prior resolutions which may conflict with this Resolution.

PASSED AND ADOPTED by the City Council of the City of Desert Hot Springs at a regular meeting duly held on the seventh day of May 2019 by the following vote:

AYES:

NAYS:

ABSENT:

RECUSED:

ATTEST:

APPROVED:

Jerryl Soriano, City Clerk

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 May 7, 2019, 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 11-711 West Drive, 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 7, 2019

City Clerk of the City of Desert Hot Springs

[SEAL]

