

**RESOLUTION NUMBER 4981**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2016-2017 IN CITY OF PERRIS MAINTENANCE DISTRICT NUMBER 84-1, PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING MAY 10, 2016 AS THE TIME AND PLACE FOR HEARING OBJECTIONS THERETO**

**WHEREAS**, the City Council of the City of Perris, County of Riverside, California ("this City Council"), has previously determined that the public interest, convenience and necessity, requires the installation, construction and maintenance of traffic signals and public lighting and appurtenant facilities as set forth in Section 22525, of the Streets and Highways Code, State of California, within the incorporated boundaries of the City of Perris, California; and

**WHEREAS**, this City Council wished to levy and collect annual special assessments within those areas presently designated City of Perris Maintenance District Number 84-1 (hereinafter referred to as "District") pursuant to the Landscaping and Lighting Act of 1972, Streets and Highways Code Section 22500, et seq.; and

**WHEREAS**, the Engineer of Work has prepared and filed with the City Clerk a report containing the matters specified in Section 22567, et seq., of the California Streets and Highways Code (the "Engineer's Report"); and

**WHEREAS**, the City Council has read, reviewed and approved the Engineer's Report as filed; and

**WHEREAS**, the public interest and convenience require the installation, construction, maintenance, servicing and operation of traffic signals and public lighting and appurtenant facilities within the City of Perris Maintenance District Number 84-1.

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

**Section 1.** That this City Council hereby declares its intention to levy and collect special assessments within the boundaries of the City of Perris Maintenance District Number 84-1 (the "District") for Fiscal Year 2016-2017 pursuant to the Landscaping and Lighting Act of 1972 to pay the costs of installation or construction of traffic signals and public lighting and facilities and the ordinary and usual maintenance, operation and servicing of certain

traffic signals and public lighting within roadway right-of-way and public utility easements within the incorporated boundaries of the City of Perris as they existed on July 1, 2015, more particularly described on a map which is on file in the City Clerk's office entitled "Diagram of City of Perris Maintenance District Number 84-1."

**Section 2.** That the existing improvements consist generally of traffic signal and public lighting facilities including the furnishing of electric current and this City Council does contemplate the improvement of proposed new traffic signal and public lighting facilities and including:

- A. The installation or construction of traffic signal and public lighting facilities;
- B. The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities; and
- C. The maintenance or servicing, or both, of any of the foregoing.

**Section 3.** That the maintenance proposed to be performed consists of the ordinary and usual maintenance, operation and servicing of traffic signal and public lighting facilities, including:

- A. The installation or construction of traffic signal and public lighting facilities;
- B. The installation or construction of any facilities which are appurtenant to any of the foregoing or which are necessary or convenient for the maintenance or servicing thereof, including grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities;
- C. Repair, removal or replacement of all or any part of the improvements thereon;
- D. Furnishing of electric current or energy, gas, or other illuminating agency for any public lighting and traffic signal facilities or for the lighting operation of any other improvements;
- E. Required electrical operation, repair and replacement of traffic signal and public street lighting facilities; and

- F. The furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of all works of improvement used or useful for the lighting and signalization of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments and appurtenances.

**Section 4.** That the contemplated work, in the opinion of this City Council, is of more than local or ordinary public benefit, and this City Council hereby makes expense of the said work chargeable upon the District, which District is assessed to pay the costs and expenses thereof.

**Section 5.** That, in accordance with the rates previously approved, the maximum annual assessment reflecting the reasonable cost of providing for the maintenance, servicing and operation of the traffic signals and public lights and appurtenant facilities is equal to \$46.28 per assessment unit, plus an inflation factor not to exceed the Southern California Edison rate increase(s) effective in subsequent years as approved by the California State Public Utilities Commission. That the annual assessment reflecting the costs for Fiscal Year 2016-2017 is equal to \$46.28 per assessment unit.

**Section 6.** That this City Council has approved the Engineer's Report which report indicates the amount of the proposed assessment, the District boundary, assessment zones, detailed description of improvements, and the method of assessment. The Engineer's Report, which is fully titled "City of Perris, Maintenance District Number 84-1, Annual Engineer's Report, Fiscal Year 2016-2017" is on file in the office of the City Clerk. Reference is hereby made to the Engineer's Report on file with the City Clerk for a full and detailed description of the existing improvements and maintenance, the boundaries of the proposed District, and the proposed assessments upon assessable lots and parcels of land within the District.

**Section 7.** The assessments shall be collected at the same time and in the same manner as taxes for the County of Riverside are collected. The Engineer of Work shall file a report annually with this City Council of said District and this City Council will annually conduct a hearing upon said report at their regular meeting before August 10th, at which time assessments for the next Fiscal Year will be determined.

**Section 8.** The assessments shall be levied on all parcels of assessable property within the District, as identified in the Engineer's Report, so long as the assessments are necessary to finance the improvements specified in Section 3, herein. The assessment amounts

as contained in the Engineer's Report are not proposed to be increased from the previous year, but are proposed to be adjusted in accordance with previously authorized adjustments.

**Section 9.** Notice is hereby given that May 10, 2016, at 6:30 p.m., in the City Council Chambers of the City Council of the City of Perris, California, 101 North "D" Street, in the City of Perris, State of California, is hereby fixed as the time and place for a hearing by this City Council on the question of the levying and collection of the proposed special assessments for Fiscal Year 2016-2017, and that any interested persons may file a written protest with the City Clerk prior to the conclusion of the hearing, which protest must state all grounds of objection and described the property within the District owned by them.

**Section 10.** The City Clerk shall cause this Resolution of Intention to be published once at least 10 days prior to the Public Hearing at which the City Council will consider levying the proposed special assessments. The published notices will encompass one-eighth of a newspaper page. The Perris Progress is hereby designated as the newspaper in which the City Clerk shall publish this Resolution of Intention. Upon completion of giving notice, the City Clerk is further directed to file in her office a proof of publication setting forth compliance with the requirements for publishing.

**Section 11.** That this City Council does hereby designate, Habib Motlagh, City Engineer, (951) 943-6504 as the person to answer inquiries regarding the District and the levying and collection of the proposed special assessments for Fiscal Year 2016-2017.

**ADOPTED, SIGNED and APPROVED** this 12th day of April, 2016.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Nancy Salazar

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) §  
CITY OF PERRIS )

I, Nancy Salazar, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4981 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 12th day of April, 2016, by the following called vote:

AYES: ROGERS, YARBROUGH, BURKE, RABB, BUSCH

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

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City Clerk, Nancy Salazar