

**RESOLUTION NUMBER 4209**

**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 2009-2010 IN CITY OF PERRIS FLOOD CONTROL MAINTENANCE DISTRICT NUMBER 1, PURSUANT TO THE BENEFIT ASSESSMENT ACT OF 1982; AND OFFERING JUNE 9, 2009 AS A TIME AND PLACE FOR HEARING OBJECTIONS THERETO**

**WHEREAS**, the City Council of the City of Perris, County of Riverside, California ("this City Council"), wishes to provide continued financing for necessary maintenance of certain street and flood control improvements within the City of Perris through the levy of benefit assessments pursuant to the provisions of Chapter 6.4 (commencing with Section 54703) of Part 1 of Division 2 of Title 5 of the California Government Code commonly known as the "Benefit Assessment Act of 1982"; and

**WHEREAS**, certain property owners have presented signed petitions to the City Council requesting the formation of or annexation to a benefit assessment district to finance the maintenance of those certain flood control improvements which benefit properties within the City of Perris; and

**WHEREAS**, the City Council; subsequently held public hearings and considered all written and oral comments and protests prior to forming a district and annexing properties to said district; said district known as "City of Perris Flood Control Maintenance District Number 1; and

**WHEREAS**, the City Council now proposes to levy benefit assessments for the 2009-2010 Fiscal Year under the provisions of the Benefit Assessment Act of 1982 to insure continued financing of necessary maintenance of certain flood control improvements, all for the benefit of parcels within Flood Control Maintenance District Number 1.

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

**Section 1.** The public interest, convenience, and necessity require, and it is the intention of the City Council pursuant to the provisions of the Benefit Assessment Act of 1982 to maintain certain flood control works and improvements for the benefit of the properties within the area of benefit.

**Section 2.** Maintenance of the improvements will be of direct benefit to properties within Flood Control Maintenance District Number 1 which are hereby declared to be the properties benefited by the improvements and to be assessed to pay the cost and expenses thereof. The area of benefit shall be all that part of the City within the boundaries shown on the maps of Flood Control Maintenance District Number 1 and subsequent annexations thereto are on file in the office of the City Clerk of the City of Perris, California.

**Section 3.** At least forty-five (45) days prior to the date set for the hearing on the proposed assessment, the Assessment Engineer is hereby directed to file with the City Clerk a written report (the "Engineer's Report") containing the following:

- A. A description of the service proposed to be financed through the revenue derived from the benefit assessments.
- B. A description of each lot or parcel of property proposed to be subject to the benefit assessments. The assessor's parcel number or Tract Map number shall be a sufficient description of the parcel.
- C. The amount of the proposed assessment for each parcel.
- D. The basis and schedule of the assessments.
- E. Other such matters as the Assessment Engineer shall deem appropriate.

**Section 4.** On the 9<sup>th</sup> day of June, 2009, at 6:00 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, the City Council will conduct a Protest Hearing at which time any and all persons having any objections to the work or extent of the assessment district, may appear and show cause why said work should not be done or carried out in accordance with this Resolution of Intention. The City Council will consider all oral and written protests.

**Section 5.** The City Clerk is hereby directed to publish notice of the hearing on the proposed assessment and notice of the filing of the Engineer's Report once a week for three successive weeks, with at least five days intervening between the respective publication dates, not counting such publication dates, in the Perris City News, a newspaper of general circulation within the area of benefit. The notice shall be 1/8 of a page in size and contain the following information:

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- A. The amount of the assessment.
- B. The purpose of the assessment.
- C. The total estimated assessments expected to be generated annually.
- D. The method and frequency for collecting the assessment.
- E. The date, time, and location of the public hearing.
- F. The phone number and address of an individual that interested persons may contact to receive additional information about the assessment.

**Section 6.** The City Clerk is also hereby instructed to provide a first-class mailing to those interested parties who have filed a written request with the City of Perris for mailed notice of public meetings or hearings on new or increased general taxes.

**Section 7.** The City Clerk is also hereby instructed to give additional notice of the hearing and notice of the filing of the Engineer's Report by posting a copy of this resolution in three public places within the City of Perris.

**Section 8.** Said notice shall be posted and first published at least forty-five (45) days before the date set for the public hearing.

**ADOPTED, SIGNED and APPROVED** this 14th day of April, 2009.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Judy L. Haughney

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

I, Judy L. Haughney, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 4209 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 14th day of April, 2009, by the following called vote:

AYES: Evans, Rogers, Lander, Yarbrough  
NOES: None  
ABSENT: Busch  
ABSTAIN: None

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City Clerk, Judy L. Haughney