

RESOLUTION NUMBER 3428

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, ORDERING THE CONTINUED OPERATION OF THE CITY OF PERRIS LANDSCAPE MAINTENANCE DISTRICT NUMBER 1, CONFIRMING THE ASSESSMENT AND DIAGRAM AND ORDERING THE LEVY AND COLLECTION OF SPECIAL ASSESSMENTS FOR FISCAL YEAR 2005-2006

WHEREAS, the City Council of the City of Perris, County of Riverside, California (“the City Council”), on April 12, 2005, adopted its Resolution of Intention declaring its intention to continue the operation of City of Perris Landscape Maintenance District Number 1 (the “District”) for the installation, construction, maintenance, servicing and operation of the public landscaping improvements and appurtenant facilities in the District; and

WHEREAS, the Engineer of Work has filed with the City Clerk his report (the “Engineer’s Report”) containing the matters specified in Section 22567, et seq., of the Code; and

WHEREAS, the Engineer’s Report has been duly presented by the City Clerk to this City Council for consideration and has been fully considered by the City Council; and

WHEREAS, the proposed Resolution of Intention fixed June 14, 2005, at 6:00 p.m. in the City Council Chambers of the City of Perris, California, as the time and place for a hearing on the question of the continued operation of the District and the levy of assessments for Fiscal Year 2005-2006, and provided for notice of said hearing; and

WHEREAS, the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for publication of notice and this City Council hereby finds that notice was published as required by law; and

WHEREAS, the City Clerk has filed, in her office, declarations setting forth compliance with the requirements for mailed notice and this City Council hereby finds that notice was mailed as required by law; and

WHEREAS, the hearing was duly opened and held by this City Council at the time and place for the hearing; and

WHEREAS, at the time and place fixed in such notice, a hearing was duly held by the City Council whereat all written appeals, protests or objections, if any, were duly presented and read, and all persons desiring to be heard thereon were heard, and this City Council gave all persons present an opportunity to be heard in respect of any matter relating to said assessment, to any act or determination of this City Council in relation thereto, to any matter in connection with

said report, or to the correctness of the assessment or diagram, or to any other matters relating to these proceedings; and;

WHEREAS, at the time and place fixed in such notice, a hearing was duly held by the City Council whereat all written appeals, protests or objections, if any, were duly presented and read, and all persons desiring to be heard thereon were heard, and this City Council gave all persons present an opportunity to be heard in respect of any matter relating to said assessment, to any act or determination of this City Council in relation thereto, to any matter in connection with said report, or to the correctness of the assessment or diagram, or to any other matters relating to these proceedings; and;

WHEREAS, the public interest and convenience require the continued installation, construction, maintenance, servicing and operation of public landscaping improvements and appurtenant facilities within the proposed District; and

WHEREAS, all the lots and lands within said District will be benefited by maintenance of the public landscaping improvements.

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

Section 1. Protests. That said hearing has been duly held; that each and every step in the proceedings prior to and including said hearing has been duly and regularly taken; that the written protests received by the City Clerk at or before the hearing have been read and considered by the City Council.

Section 2. Necessity. That the public interest, convenience and necessity require the continued installation, construction, maintenance, servicing and operation of said public landscaping improvements and appurtenant facilities.

Section 3. Benefit. That all the land included within the boundaries of said District as shown on the diagram thereof will be benefited by said improvement and the maintenance, servicing and operation thereof; and that the proposed assessment of the total amount of the cost and expenses of said improvement upon the several parcels and subdivisions of land in said District is in proportion to the benefits to be received by such parcels and subdivisions, respectively, from the improvement and the maintenance, servicing and operation thereof.

Section 4. Boundaries. That the exterior boundaries of the District are as set forth in the diagram contained in the Engineer's Report on file with the City Clerk.

Section 5. Engineer's Report. That the Engineer's Report and the method of assessment and the diagram and assessment for Fiscal Year 2005-2006 as set forth in the

Engineer's Report, are hereby approved and confirmed, and the passage of this resolution shall continue the operation of City of Perris Landscape Maintenance District Number 1 and shall constitute the levy of an assessment for the Fiscal Year 2005-2006.

Section 6. Diagram and Assessment. That pursuant to Sections 22640 and 22641 of the Code, the City Clerk shall file a certified copy of the diagram and assessment with the Riverside County Auditor-Controller not later than the third Monday in August.

Section 7. Collection of Assessment. That it is the intention of this City Council to collect annual assessments on the Riverside County assessment roll commencing in Fiscal Year 2005-2006 pursuant to the procedures set forth in Section 22620, et seq., of the Code.

ADOPTED, SIGNED and **APPROVED** this 14th day of June, 2005.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

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

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3428 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 14th day of June, 2005, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey