

RESOLUTION NUMBER 2722

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, PRELIMINARILY APPROVING THE CERTIFIED ENGINEER'S REPORT AND DECLARING ITS INTENTION TO HOLD A PUBLIC HEARING ON AUGUST 3, 1999, AND CONDUCT A MAILED BALLOT TO APPROVE THE FORMATION OF AN ASSESSMENT COMMENCING IN FISCAL YEAR 1999-2000 TO FUND THE CONSTRUCTION, OPERATION AND MAINTENANCE OF COMMUNITY PARKS THROUGHOUT THE CITY.

WHEREAS, the City Council of the City of Perris, California, did in Resolution No. 2717, pursuant to the provisions of Proposition 218 and the "Landscaping and Lighting Act of 1972", of the State of California, require the State certified registered professional engineer to make and file with the City Clerk of the City Council a report in writing, relating to assessments to fund the operation and maintenance of parks throughout the City; and,

WHEREAS, on the 3rd day June, 1999, the State certified registered professional engineer filed in the office of the City Clerk of said City, the written report in writing responsive to the requirements of said Resolution No. 2717; and,

WHEREAS, said City Clerk has presented the said report to the City Council of said City and said Council has considered said report;

NOW, THEREFORE, the City Council of the City of Perris, California, does hereby resolve as follows:

SECTION 1. That the report of the state certified registered professional engineer of the City of Perris, California, dated June 1, 1999 (revised June 8, 1999), which was filed in the office of the City Clerk of the City of Perris, California, on the 1st day of June, 1999, and the same is hereby preliminarily approved subject to modification by the City Council.

SECTION 2. A) By the adoption of this Resolution and preliminary approval of the Engineer's report, the City Council declares its intention to form, levy and collect assessments in the amounts set out in the Engineer's report (with a base of \$36.96 per single family residential parcel per year) to fund construction, operation and maintenance of community parks throughout the City commencing with Fiscal Year 1999-2000. The City Council intends to confirm this assessment amount

annually thereafter, increased only by the increase in the Consumer Price Index, until such time as the assessment is increased by the same mailed ballot process as set out

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here or is terminated by action of the City Council or property owner voters.

B) The improvements and assessments shall be done under Proposition 218 and the Landscaping and Lighting Act of 1972, as amended.

C) The assessments shall be collected on the property tax bill with and subject to the same procedures and penalties for delinquency as general county property taxes.

SECTION 3. Public Hearing: That a Public Hearing is set for Tuesday, August 3, 1999 at 7:00 P.M., in the City Council Chambers located at 101 North "D" Street in the City of Perris, to take the testimony on the issue of whether or not the assessments should be approved and levied and to tally the ballots described below.

SECTION 4. Notice: At least 45 days before the hearing, the City Clerk is directed to give notice of the of the Public Hearing by mailing a notice describing the proposed assessments which meets the requirements of Proposition 218 and the Landscaping and Lighting Act of 1972 to the latest record owner of each parcel of property in the City, including public property. The City Council approves the form of notice.

SECTION 5. Ballot: Along with the notice, the City shall provide a ballot which meets the requirements of Proposition 218 and provides for the property owner to vote on the proposed assessments. All ballots must be returned to the City Clerk before the end of the Public Hearing. The City Council approves the form of ballot.

SECTION 6. Publication: The City Clerk shall publish this resolution at least 10 days before the August 3, 1999 hearing as required by Government Code § 54954.6 (display ad).

SECTION 7. Public Hearing and Tabulation Votes: At the time set for hearing, the City Council shall hear and consider all testimony. The City Council also shall open and tabulate all ballots before the close of the Public Hearing. The Public Hearing may be continued from time to time.

SECTION 8. The City Council finds that the levy and collection of these assessments is statutorily exempt from the California Environmental Quality Act under § 15273 of the Guidelines, as none of the proceeds will be used for capital expenses, but will be used instead for operation and maintenance.

SECTION 9. The City Clerk shall certify to the adoption of this Resolution.

APPROVED AND ADOPTED this 8th day of June, 1999

MAYOR OF THE CITY OF PERRIS

Attest:

City Clerk

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

I, Margaret Rey, duly elected City Clerk of the City of Perris, California, hereby certify that the foregoing Resolution Number 2722 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting held the 8th day of June, 1999 by the following called vote:

Ayes: Torres, Larios, Yarbrough, Larragoitiy and Landers

Noes:

Absent:

CITY CLERK

APPROVED AS TO FORM:

City Attorney